



YUMA COUNTY PLANNING & ZONING COMMISSION MEETING PUBLIC NOTICE AND AGENDA

*The Yuma County Planning & Zoning Commission meetings can also
be viewed on the Yuma County Government Cable Channel 77.*

DATE: May 26, 2015
TIME: 5:00 p.m.
PLACE: Aldrich Auditorium, 2351 West 26th Street, Yuma, Arizona

MEMBERS: **Martín Porchas, Dist. 1**
Tim Bowers, Dist. 1
Max Bardo, Dist. 2
Paul White, Dist. 2
Wayne Briggs, Vice-Chairman, Dist. 3
Michael Henry, Chairman, Dist. 3
Gary Black, Dist. 4
Matias Rosales, Dist. 4
Alicia Z. Aguirre, Dist. 5
John McKinley, Dist. 5

STAFF: **Maggie Castro, Planning Director**
Juan Leal-Rubio, Senior Planner
Fernando Villegas, Senior Planner
Choo Kelly, Office Spec. III
Melissa Manzo-Palacios, Office Spec. III

ADVISORS: **Diana Gomez, Director, County Health District**
Joe Wehrle, County Tax Assessor
Edward Feheley, Deputy County Attorney for Jon Smith, County Attorney
Arturo Alvarez, Civil Engineer Assistant for Roger Patterson, County Engineer

Note: A quorum of the Commission may gather for dinner prior to the beginning of the meeting and no legal action will be taken.

- 1. Call to Order the Regular Session of the Yuma County Planning & Zoning Commission and verify quorum.**

2. **Pledge of Allegiance.**
3. **Approval of Planning and Zoning Commission regular meeting minutes of April 27, 2015.**
4. **Special Use Permit No. 15-03:** Kyle Carter, agent for Sisson Farms AZ LTD AZ LLLP, requests a Special Use Permit per Section 1115.04 of the Yuma County Zoning Ordinance to establish a wireless communication facility on a parcel of 80.1 gross acres zoned Rural Area-40 acre minimum (RA-40), Assessor's Parcel Number 177-24-001, located at the southeast corner of the intersection of County 1st Street and Avenue 69½E, specifically with an address of 1145 South Avenue 69½E, Dateland, Arizona. *(This item was continued from the April 27, 2015 meeting.)*
5. **Rezoning Case No. 15-04:** Barry L. Olsen, Law Offices of Larry W. Suciu, PLC, agent for Rogelio Sosa Palos and Maria del Pilar Soto Martinez, requests the rezoning of a parcel 10.0 gross acres in size from Rural Area-10 acre minimum (RA-10) to Suburban Site Built-2 acre minimum (SSB-2), Assessor's Parcel Number (APN) 747-51-011, located at 15522 South Avenue 2¾E, Yuma, Arizona.
6. **Request to initiate a text amendment to the Yuma County Zoning Ordinance, Section 302.05--Water and Sewage Systems Requirements.**
7. **Discussion by the Commission members and Planning Director of events attended, current events, and the schedule for future Planning Commission meetings.**
8. **Adjourn.**

Note: For further information about this public hearing/meeting, please contact Maggie Castro, Planning Director, phone number (928) 817-5000; or e-mail contactdds@yumacountyaz.gov or TDD/TTY (Arizona Relay Service): call in 1-800-367-8939, call back 1-800-842-4681. Individuals with special accessibility needs should contact the individual indicated above before the hearing/meeting with special need requirements.

Note: The Commission may vote to hold an Executive Session for the purpose of obtaining legal advice from the Commission's attorney on any matter listed on the agenda, pursuant to A.R.S. §38-431(A)(3).

Yuma County P & Z Commission

Item No. 3

YUMA COUNTY PLANNING & ZONING COMMISSION MEETING MINUTES

DATE: Monday, April 27, 2015
PLACE: Aldrich Auditorium, 2351 West 26th Street, Yuma,
Arizona

1. Call to Order the Regular Session of the Yuma County Planning and Zoning Commission and verify quorum.

Chairman Henry convened the Planning Commission meeting to order at 5:01 p.m. Commissioners present were Chairman Michael Henry, Vice-Chairman Wayne Briggs, Paul White, Max Bardo, John McKinley, Martin Porchas and Gary Black. Commissioners Alicia Aguirre, Matias Rosales and Tim Bowers were absent.

Others present: Planning Director Monty Stansbury, Planning Section Manager Maggie Castro, Senior Planner Fernando Villegas, Senior Planner Juan Leal Rubio, Deputy County Attorney Edward Feheley, Administrative Assistant Susan Elton, and Office Specialist III Choo Kelly.

2. Pledge of Allegiance.

Chairman Henry led the Pledge of Allegiance.

3. Approval of Planning and Zoning Commission regular meeting minutes of March 23, 2015.

Commissioner Briggs made a motion recommending approval of the Planning and Zoning Commission regular meeting minutes of March 23, 2015 as presented. Commissioner McKinley seconded the motion. The motion carried 7-0.

4. Rezoning Case No. 15-02: Kevin A. Dahl, P.E., R.L.S. of Dahl, Robins & Associates, Inc., agent for Justin R. King, requests the rezoning of a parcel 4.32 gross acres in size from Suburban Site Built-4 acre minimum (SSB-4) to Suburban Site Built-2 acre minimum (SSB-2), Assessor's Parcel Number 637-02-003, located at 8419 East County 6th Street, Yuma, Arizona.

Juan Leal Rubios, Senior Planner, presented the staff report recommending approval of Rezoning Case No. 15-02 with the following performance conditions:

Performance Conditions.

1. The owner shall submit a signed and notarized A.R.S. §12-1134 waiver to the Department of Development Services within 60 days of approval of this rezoning case by the Board of Supervisors.
2. The owner or applicant shall record the following disclosure statements within 60 days of Board of Supervisors' approval of this rezoning case and submit them to the Department of Development Services:
 - a. An agricultural disclosure statement.
 - b. An historic/archaeologically significant site disclosure statement.
 - c. An avigation disclosure statement.

Schedule for Development.

1. Within one year of approval by the Board of Supervisors, a Land Division Permit shall be applied for and approved in accordance with the Yuma County Zoning Ordinance, Section 507.00--Land Divisions.

Staff did received two comments and/or Correspondence:

1. On 4/8/15, staff received a letter from Mr. Robert L. Dunn of Gila Monster Farmer Partnership, LLC seeking clarification on residential densities being requested under RZ15-02 and concerns with established CCR's not being enforced. On 4/10/15, staff contacted Mrs. Dunn via phone and clarified concerns/questions brought up in letter. Mrs. Dunn wished to remain neutral on her position for RZ15-02.
2. On 3/24/15, Paula Backs from MCAS requested that an avigation disclosure statement be recorded.

Commissioner Bardo asked staff what CC&R violation Robert Dunn was referring to regarding this lot split. Staff referred to the letter written by the Dunns stating concerns of density and the letter quoted from CC&R stating "No lot is to be re-subdivided into smaller tracts or lots...". Staff went on to advise commissioners that the County does not enforce CC&R and this would be a civil matter between residents.

Chairman Henry asked if staff knew of Mr. Dunn's position since staff spoke only with Mrs. Dunn and she was neutral. Staff answered that Mrs. Dunn stated she had drafted the letter.

Commissioner White asked if there were any comments and/or correspondences from other surrounding property owners. Staff said that no other correspondence was received, but a homeowner did contact staff to advise that he would be attending the meeting.

Justin King, 8419 East County 6th Street, Yuma, AZ appeared before the commission and stated his reason for requesting the lot split. Chairman Henry

asked the applicant if this matter was discussed with other neighbors, to which the applicant answered yes, he had.

Joe King, Justin's father, 11487 East Via Canada, Yuma, AZ. Applicant advised that when he first purchased the property he was not aware of the CC&R. Commissioner Bardo asked if the realtor or title company disclosed the CC&R. Applicant King again answered no. Commissioner White asked what year the property was purchased; the applicant purchased the property two (2) years ago.

Chairman Henry opened the public meeting.

Kyle Harvick, 8373 East County 6th Street, neighbor of applicant protested rezoning the property. He felt dividing lots would disrupt the uniformity of the area, and stated he did not purchase the property to live in a neighborhood. Chairman Henry asked what was done with the four (4) acre lot since the CC&R said no horses and farm animals are allowed. Kyle clarified that the CC&R states horses are allowed as a pet. Commissioner White asked Mr. Harvick since he is prevented from fencing the property if it blocks access to the ruins, do vehicles cross his property to access the ruins? Mr. Harvick said there is a dirt road access. Commissioner White asked if the home owner association met, and Mr. Harvick answered no. Commissioner Bardo asked how the CC&R was disclosed to him, and Mr. Harvick stated that his realtor disclosed the CC&R.

Chairman Henry closed the public meeting.

Commissioner Black agreed with Mr. Harvick. Commissioner White did not want to approve an item that violated the CC&R and suggested postponing this case until the homeowner association met. Commissioner Bardo said the CC&R is provided by the developer, but can be changed by owner association; he agreed with Commissioner Black to not approve as the CC&R had been recorded.

Maggie Castro, Planning Section Manager, advised that there did not need to be an active homeowner association to uphold the CC&R. A civil suit could be brought by any homeowner if they felt the CC&R had been violated.

Monty Stansbury, Planning Director clarified that an action to postpone would be inappropriate, but the board could take an action to forestall the decision to a date certain. Chairman Henry asked the applicant if he agreed to a date certain. Applicant Joe King agreed.

Commissioner White made a motion to continue case RZ 15-02 to Sept 28, 2015. Commissioner Black seconded the motion. Motion carried 7-0

- 5. Special Use Permit No. 15-03:** Kyle Carter, agent for Sisson Farms AZ LTD AZ LLLP, requests a Special Use Permit per Section 1115.04 of the Yuma County Zoning Ordinance to establish a wireless communication facility on a parcel of 80.1 gross acres zoned Rural Area - 40 Acre Minimum (RA-40), Assessor's Parcel Number 177-24-001, located at the southeast corner of the intersection of County 1st Street and Avenue 69½E, specifically with an address of 1145 South Avenue 69½E, Dateland, Arizona.

Fernando Villegas, Senior Planner said the applicant had asked for a postponement until May 26, 2015 meeting.

Commissioner White made a motion to approve moving the case SUP 15-03 to May 26th. Commissioner Black seconded the motion. The motion carried 7-0.

6. Discussion concerning bicycling/bicycle paths.

Maggie Castro, Planning Section Manager, said it would be premature to propose changes to the document until appropriate studies are in place to provide guidance for requirements. A grant for a pre-scoping study had been applied for.

Gene Dalbey, 1183 West 37th Street, was pleased with the staff efforts. His only concern was that Yuma County was behind regarding bicycling. Chairman Henry said that they need guidance and direction in this subject and did not want to make a decision before the study was completed. Mr. Dalbey agreed.

Chairman Henry asked when staff anticipates a response from the state. Maggie Castro, Planning Section Manager, said she did not know when the state would respond. She said there is a meeting scheduled the second week of May to discuss the issues with the bicycle coalition.

Commissioner White asked Mr. Dalbey what he hoped to get from study. Mr. Dalbey said he hoped the study would be a beginning to develop a bicycle master plan for Yuma County. Monty Stansbury, Planning Director, said the prescoping portion will identify segments that should not be missed in future studies, and will show what needs to be studied. Prescoping is limited to \$20,000; and the study is \$200,000 and possibly higher if reasons are identified.

Commissioner White questioned what could be done if the County did not receive the grant. Monty Stansbury, Planning Director, said the stakeholder group, coalition, and staff could possibly work together to improve conditions. Commissioner White asked about Subdivision Regulations. Mr. Stansbury replied that if it is decided not to include this item in the Subdivision Regulations, then the opportunity will be lost.

Chairman Henry moved to move this discussion to future date.

Monty Stansbury announced he will retire officially May 8, 2015 and his last day in the office is May 1, 2015.

7. Adjourn

The meeting adjourned at 5:57 p.m.

These minutes were approved and accepted on this 26th day of May, 2015.

Planning & Zoning Commission
Regular Meeting Minutes – April 27, 2015

Witness:
Michael Henry
Chairman

Attest:
Maggie Castro
Planning Director

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Yuma County P & Z Commission

Item No. 4

AIR-6365

4.

P&Z Commission Agenda

Meeting Date: 05/26/2015

Submitted For: Maggie Castro

Submitted By: Fernando Villegas

Department: Planning & Zoning Division - DDS

Information

1. REQUESTED ACTION:

Special Use Permit Case No. 15-03: Kyle Carter, agent for Sisson Farms AZ LTD AZ LLLP, requests a Special Use Permit per Section 1115.04 of the Yuma County Zoning Ordinance to establish a wireless communication facility on a parcel of 80.1 gross acres zoned Rural Area-40 acre minimum (RA-40), Assessor's Parcel Number 177-24-001, located at the southeast corner of the intersection of County 1st Street and Avenue 69½E, specifically with an address of 1145 South Avenue 69½E, Dateland, Arizona.

2. INTENT:

For a new Wireless Communication Facility

3. For detailed analysis see attached staff report

4. STAFF'S RECOMMENDATION:

Staff recommends approval of this request subject to the Performance and Operational Conditions as listed in the attached staff report.

Attachments

Staff Report

Vicinity Map

Site Plan and Application

Development Evaluation Checklist

Internal Memos



STAFF REPORT TO THE COMMISSION
April 27, 2015

Special Use Permit Case No. 15-03

REQUEST: A Special Use Permit per Section 1115.04 of the Yuma County Zoning Ordinance to establish a wireless communication facility on a parcel of 80.1 gross acres zoned Rural Area - 40 acre minimum (RA-40), Assessor's Parcel Number 177-24-001, located at the southeast corner of the intersection of County 1st Street and Avenue 69½E, specifically with an address of 1145 South Avenue 69½E Dateland, Arizona.

APPLICANT: Cory Squire, agent; Sisson Farms AZ LTD AZ LLLP, owner.

Application is within Supervisor District 3, Supervisor Russell T. Clark. Planning Commissioners are Wayne Briggs and Michael Henry. Staff report is prepared by Chad Bahr, Senior Planner.

LOCATION: Travel east on Interstate 8 (I-8) from the City of Yuma and take Exit 73 and turn south (right) across the Frontage Road and the Union Pacific Railroad tracks. Turn west (right) onto a dirt road along the north side of the dairy and travel approximately ¼ mile. Continue along curvature of dirt road which turns into Avenue 69½E and travel south approximately 0.8 miles to the subject property. The subject property is located on the driver's left side on the east side of Avenue 69½E.

INTENT:

The applicant intends to establish a wireless communication facility 40 feet in height.

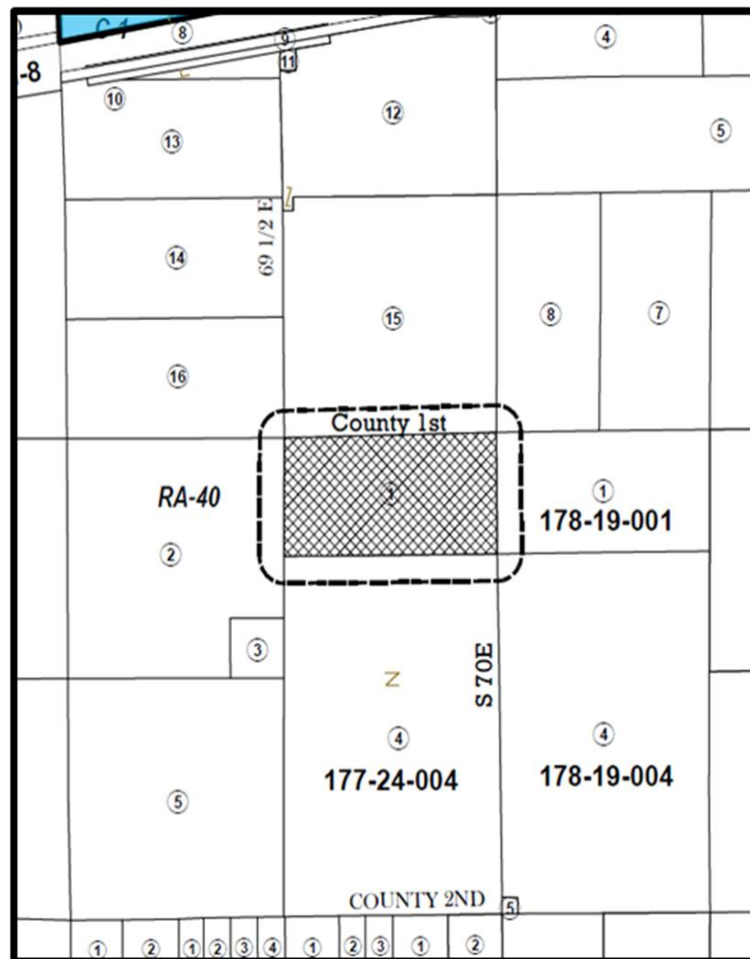
Proposed Use:

The applicant is desiring to establish a 40 feet high wooden pole in the northwest corner of the subject parcel. The tower would be owned and operated by TDS Telecom/Arizona Telephone Company. The purpose of the facility would be to establish a microwave communication path between the tower facility to be located north of the Hyder area via Special Use Permit No. 14-09 (SUP 14-09) which was approved by the Board of Supervisors on March 2, 2015 and the existing wireless facilities at Dateland. In essence, this would be the connection or middle point between these other two facilities. The tower would also have a distribution or "point to multi-point" radio for connection to permanent establishments in the area.

SITE CONDITIONS:

The subject property has historically been used for agricultural purposes on the eastern two-thirds and southwest portion of the parcel. The northwest portion of the parcel contains buildings that are used to support agricultural uses. Building permit history reveals seven permits issued from 2003 through 2005: four for exempt agricultural buildings, two for septic tanks, and one for electrical for a water well. The property is accessed via Avenue 69½E from the west side of the parcel.

Surrounding zoning and land uses: There are seven parcels within the 300 feet notification area. All of these are zoned Rural Are-40 acre minimum (RA-40). All seven parcels within the 300 feet notification area and the areas beyond those are all either in agricultural production or have established upon them structures in support of agricultural endeavors. Parcel 4 to the south is the location of three manufactured homes used for housing of agricultural farm workers.



Vicinity Map

The Rural Area (RA-40) zoning district is a district intended to conserve and preserve farms, agriculturally related resources, continued agricultural use and other open space land uses fostering orderly growth in rural areas, preventing urban and agricultural land use conflicts, and allowing rural lot development with emphasis on preserving the character of farming communities.

The subject property is located within the Dateland/East County Planning Area of the Comprehensive Plan. The land use designation is Agricultural/Rural Preservation (A-RP) which calls for 40-acre minimum parcels and supports agricultural land uses. This request for a Special Use Permit does not trigger an amendment to the Comprehensive Plan.

The subject property is within the Hyder School District No. 16 for primary education and Antelope Union High School District No. 50 for secondary education. The nearest elementary school is Dateland Elementary located at 1300 South Avenue 64E, located approximately 8.0 miles from the subject property. This schools houses grades K-8, thus, there is no middle school to serve the area. The nearest high school is Antelope High School located at 9168 South Avenue 36E and it is located approximately 39.0 miles from the subject property. It houses grades 9-12.

The subject property is not located within the six-minute response time radius by the Wellton Fire District, located at 29118 Los Angeles Avenue in Wellton, approximately 47 miles from the property.

The subject property is not located within the ten-minute response time radius by the Yuma County Sheriff's Department. The nearest Sheriff response would be from the Yuma County Sheriff Substation District No. 5 located at 10260 Dome Street also in Wellton.

The subject property is located within three miles of the Barry M. Goldwater Range (BMGR), but it is not located within a high noise zone. However, the subject property is located under Restricted Airspace.

The site consists of Ligurta-Cristobal Soil Complex and the Harqua-Tremon Complex. For the area where the tower is proposed the soil type is the former. Said complex is well drained, strongly saline soil on old alluvial fans and low terraces. Livestock grazing is limited. This soil is moderately limited for urban development.

The subject property is not located in the PM₁₀ non-attainment area.

CRITICAL ISSUES:

Required Conclusions from Yuma County Zoning Ordinance: (Section 402.01)

- 1. The proposed development will not materially affect or endanger the public health, safety or welfare.**

The use of the property for a wireless communication facility is seen as not materially affecting or endangering the public health, safety and welfare for the following reasons:

1) the use is laid out in compliance with the zoning ordinance, and 2) the proposed use is seen as augmenting telecommunications to the area.

- 2. The proposed development complies with all regulations and standards applicable within the zoning district specifically applicable to the particular type of special use or class of special uses.**

The proposed development will comply with all applicable regulations and standards associated with the RA-40 zoning district including, but not limited to, height, screening, parking, buffering, and setbacks. Legal access can be handled through a performance condition seen below.

- 3. The proposed development will not substantially change or materially affect the adjoining property or the surrounding area.**

The proposed establishment of a wireless facility will not substantially change and will not materially affect the surrounding area. It is seen as an addition to the area.

- 4. The proposed development will be in harmony with the area in which it is located.**

The proposed development will be in harmony with the area in which it is located because the wireless facility as proposed will look very similar to existing electrical poles already found in the area.

Ordinances, codes and regulations that pertain to the application:

- Yuma County Zoning Ordinance
- Yuma County Comprehensive Building Code
- 2003 International Fire Code
- Environmental Health Laws (ARS Titles 36 and 49)
- Yuma County Flood Control District
- Public Works Standards
- Americans with Disabilities Act (ADA)

SUMMARY NOTES:

Support Staff Summary: The Engineering Division, Flood Control Division, Building Safety Division, Environmental Health Division and Zoning Enforcement Division all find this request satisfactory.

Letters of Support, Opposition, Agency, Military, Special Interest: The application is on file. E-mail responses from the Environment Programs Division, Building Safety District and Engineering Division are on file. An e-mail response received on March 6, 2015 from Paula Backs, MCAS Community Planning Liaison, stated the following: The applicant should avoid the 1710-1755 MHz frequency band, they shouldn't have a problem with the height as long as it (the tower) is lit with a red flashing light, and the parcel is located in the Restricted Air Space

south of I-8. She added on 3-24-15 the area is also located under a general aviation and helicopter pathway.

Citizen Comments: As of April 15, 2015, no comments had been received from the public.

Development Evaluation Checklist (DEC): The Development Evaluation Checklist identifies the following Impact Categories: Conformance to Existing Plans; Land Use Compatibility; Natural Resources; Public Infrastructure; Natural Environmental Conditions; Manmade Environmental Conditions; and Health, Safety and Welfare. A point system is used to score whether a proposal should likely be approved or denied. Of a possible maximum score of 300, the total score for this proposal is **254**. A score of 275 to 300 represents a high score and a score in this range represents a proposal that likely should be approved. The proposal is likely to be in compliance with adopted land use plans, policies and objectives and is compatible with surrounding development. A score from 250 to 274 is a moderate score and a score falling within this range represents a proposal that likely contains some redeeming values, but is lacking in one or more areas. A low score is 249 or less and a represents a proposal that likely should not be approved. The Development Evaluation Checklist score is less than 300 due primarily to the fact the proposed density is not in complete alignment with existing densities in the area, the use is not in perfect alignment with all other uses, and the property is located in an area of soil liquefaction.

CHRONOLOGY:

03-02-15	Application received
04-02-15	Property posted for the Planning Commission's public hearing
04-08-15	Legal ad appears in the Yuma Sun for the Planning Commission's public hearing
04-10-15	Public notice mailed to properties within 300 feet of the request
04-17-15	Letter mailed informing applicant of item being placed on the Planning Commission's public hearing agenda
04-20-15	Staff report e-mailed to applicant and/or agent
04-27-15	Planning Commission's public hearing

RECOMMENDATION:

Staff recommends **approval** of this request subject to the following Performance Conditions and Operational Condition:

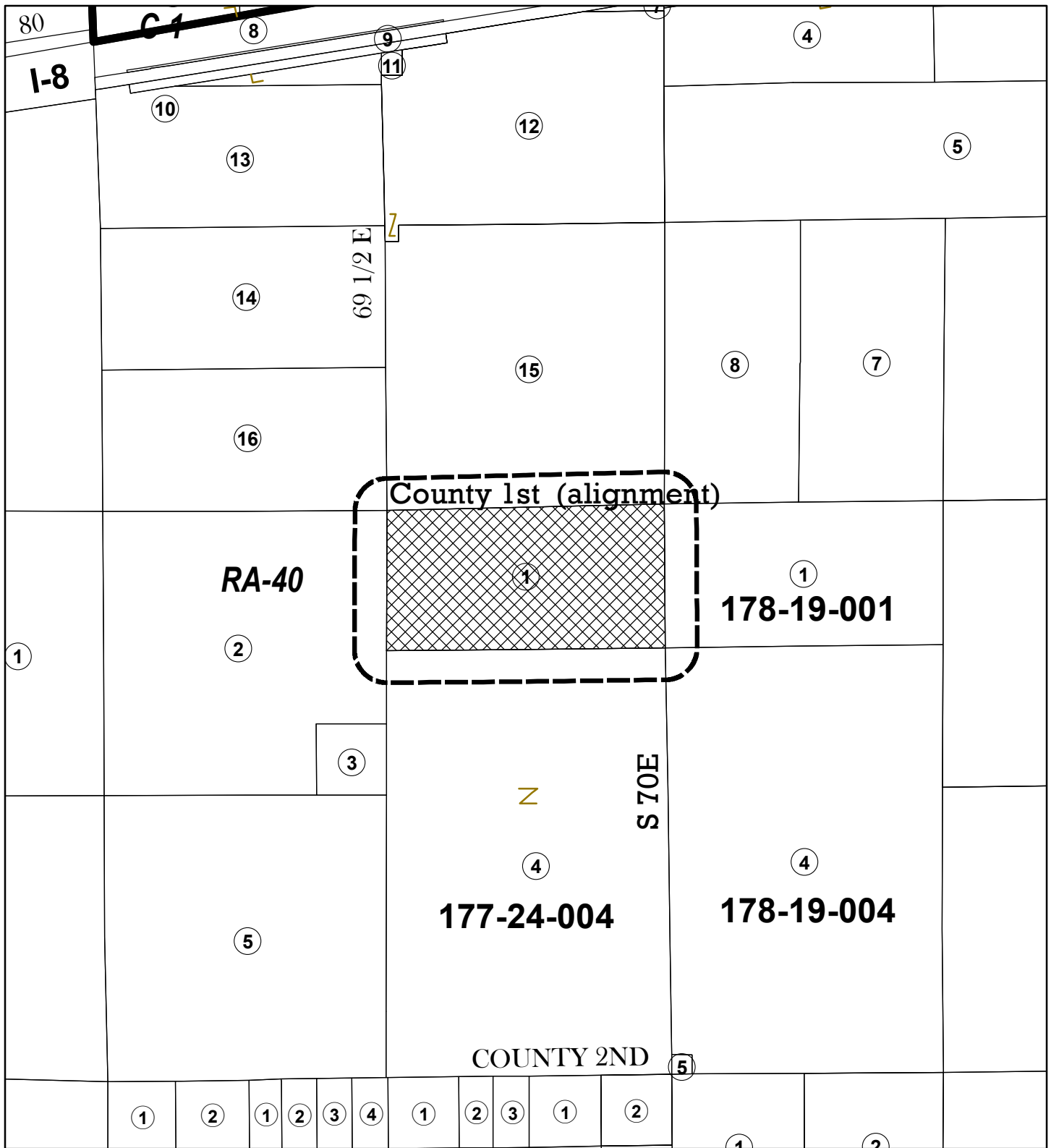
Performance Conditions.

1. The owner or applicant shall submit the below listed waiver and record the following disclosure statements and access document(s) all within 60-days of Board of Supervisors' approval of case SUP15-03 and submit them to the Department of Development Services (DDS):
 - a. An A.R.S. §12-1134 waiver.
 - b. A Range Disclosure Statement.
 - c. A Restricted Air Space Disclosure Statement.
 - d. Evidence of legal access to the subject property from Interstate 8.

2. The owner/applicant shall acquire and have finalized all required permits as per appropriate code requirements within one (1) year of approval by the Board of Supervisors or the Special Use Permit shall expire pursuant to Section 402.5(B)(1)(a) of the Yuma County Zoning Ordinance.

Operational Conditions.

1. The approval of the Special Use Permit is based on the site plan submitted by the applicant. Any change from the site plan will require approval by the County Planning Director pursuant to Section 402.04 of the Yuma County Zoning Ordinance.
2. The proposed tower must be lighted at the top with a flashing red beacon for operation from dusk to dawn.
3. The proposed tower must be removed upon cessation of its use.



**DEPARTMENT OF
DEVELOPMENT
SERVICES**

PLANNING & ZONING DIVISION
2351 W. 26TH STREET
YUMA, AZ 85364

FOR INFORMATION ONLY - NO LIABILITY ASSUMED

CASE NO:

LOCATION: 1145 South Avenue 69 1/2E

APN:

SUP 15-03

177-24-001

CASE PLANNER: C. Bahr

DATE DRAWN: 3-3-2015

REVIEWD BY: F. Villegas



SCALE: 1" = 1300'

Legend



300 FEET BUFFER



SUBJECT PROPERTY



Zoning Boundary



YUMA COUNTY

OFFICE USE ONLY

PLANNING AND ZONING APPLICATION FORM

CASE NO.
SUPIS-0003

ONLY FOR UNINCORPORATED AREA OF YUMA COUNTY, ARIZONA

PROPERTY
OWNER(S):

NAME: SISSON FARMS AZ LTD AZ LLLP (Owner: Jon Warkowski) PHONE # 602.768.0317

MAILING ADDRESS: 805 E Eason Ave, Buckeye, AZ 85326

FAX# _____ EMAIL: jwarko616@gmail.com

AGENT (IF ANY)

Power of Attorney
REQUIRED

NAME (please print): Squire

Cory

Last Name

First Name

PHONE # 435.623-4252

FAX# 435.623.4351

MAILING ADDRESS: 22 N Sheep Lane (1200 East) | P.O. Box 331 | Nephi, UT 84648

EMAIL: CSQUIRE@RMWT.COM

Assessor's Parcel Number(s): 177-24-001

TYPE OF APPLICATION:

LEGAL DESCRIPTION: SEC 24 TWP 7 S RNG 12 W
N½ of NE¼ of Section 24 Township 7 South Range 12 West

Gila-Salt River Meridian

Acreage: 80.01± (☒ gross ☐ net) CURRENT ZONING RA-40

CURRENT LAND USE: Agricultural / Rural Preservation

PLANNING AREA: Dateland East County

PROPOSED ZONING; USE: RA-40 ; WCF

Wireless Communication Facility

Zoning Ordinance Section # for Interpretation: 1115.05 - 1115.07

- ☐ Rezoning
- ☒ Special Use Permit
- ☐ Minor Amendment
- ☐ Major Amendment
- ☐ Variance
- ☐ Interpretation
- ☐ Land Division Permit
- ☐ Temporary Use Permit
- ☐ Temporary Special Use Permit
- ☐ Commission Initiative

ATTACH EXPLANATION OF REQUESTED INTERPRETATION

OFFICE USE ONLY

Date Received: 03-02-15 Accepted by: JAVIER B.

Copy sent to GIS on: N/A @ THIS TIME

Faxed to MCAS on: N/A @ THIS TIME

Fee Paid: \$ 1500.00

The applicant agrees to cooperate with planning staff in completing necessary site visits for preparation of reports, information and to post zoning notices all in accordance with Arizona Revised Statutes.

Signed this 20th day of February 2015

Cory Squire Randy L. H. H.

Signature(s) of ☐ Property Owner(s) or ☒ Legal Agent
(If legal agent, power of attorney form must be attached)

The Office of the Yuma County Assessor

410 South Maiden Lane, Suite A Yuma, Arizona 85364 - Phone: (928) 373-6040

Account Type:

1603

80.01 - A

Status: Active

Property Location

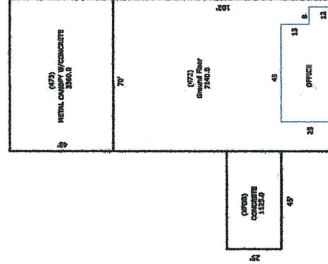
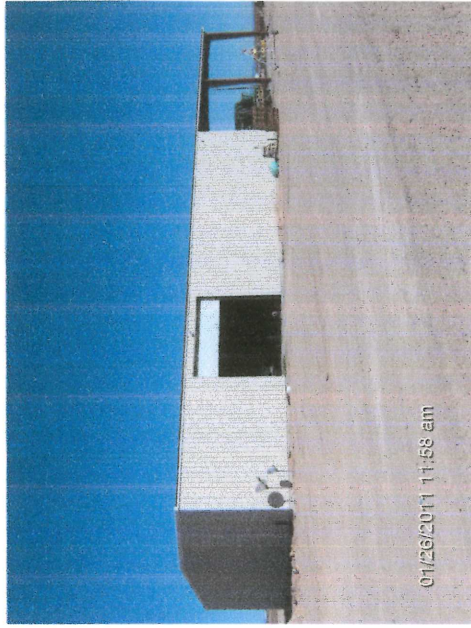
1145 S AVENUE 69 1/2 E
DATELAND 85333

Section: 24 Township: 07S Range: 12W N2 NE4

	2015		2014	
	FCV	Secondary Assessed	FCV	Secondary Assessed
Land	\$16,002	\$2,560	\$14,002	\$2,240
Improvements	\$178,280	\$28,525	\$187,857	\$30,057
Personal Property	-	-	-	-
Exempt	-	-	-	-
Total	\$194,282	\$31,085	\$201,859	\$32,297

		2015		2014	
		LPV	Primary Assessed	LPV	Primary Assessed
Value		\$193,559	\$30,970	\$184,342	\$29,495
Exempt		-	-	-	-
Total		\$193,559	\$30,970	\$184,342	\$29,495

* The results of this property tax estimation are for informational purposes only. County Assessors do not collect taxes, determine tax rates, or figure the total amount of taxes owed. Tax rates are set on or before the third week in August each year by the County Board of Supervisors. This calculation will be an ESTIMATE ONLY of the actual tax bill using the most current tax rates.



User Remarks
EAGLE UPDATE PG





RMWT

TELECOMMUNICATIONS SERVICES

22 North Sheep Lane (1200 East) • P.O. BOX 331 • Nephi Utah • 84648 • Phone (435) 623-4252 • Fax (435) 623-4351

2-20-2015

Yuma County, AZ
Planning Commission Department

RE: Special Use Permit for Parcel No. 177-24-001

Jon Warkomski acting as Owner-Manager of Sisson Farms AZ LTD LLLP and regarding Parcel 177-24-001 (1145 S Avenue 69½ E Dateland, Yuma County, AZ) would like to apply for a special use permit for the installation of a 40 ft high wooden pole Telecommunications Tower (see attached Site Plan and typical profile). The Tower is to be owned and operated by TDS Telecom/ Arizona Telephone Co. who will be securing and easement from Jon to do so.

RMWT, Inc has been authorized to submit this application on behalf of Jon Warkomski and TDS Telecom (see attached letters of authorizations).

The purpose of this tower is to establish a microwave transmission path between the Dateland ATC tower (also part of the pending Special Use Permit 14-09) and this location. This tower would also have a "distribution" or "Point to Multi Point" radio for connection to permanent establishments in the area. Together they would provide enhanced internet and communications to the area. This is being done as part of the economic stimulus project.


Schedule for Development: The Tower is planned for completion by the first part of June 2015.

Your consideration and assistance in this matter is appreciated.

Sincerely,

*

Randy Freston
Project Manager RMWT, Inc.

 2-20-15
Cory Squire,
Right-of-Way Specialist, RMWT, Inc.

*(Randy has been hospitalized so Cory Squire is assisting in this matter in the meantime, we wish Randy the best)

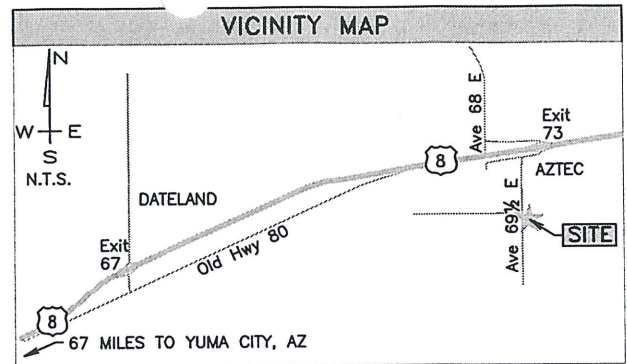
Site Plan

FOR
TDS Telecom
FACILITY KNOWN AS:
Aztec Wooden Pole Tower
YUMA COUNTY, AZ
02/16/2015

PREPARED FOR:

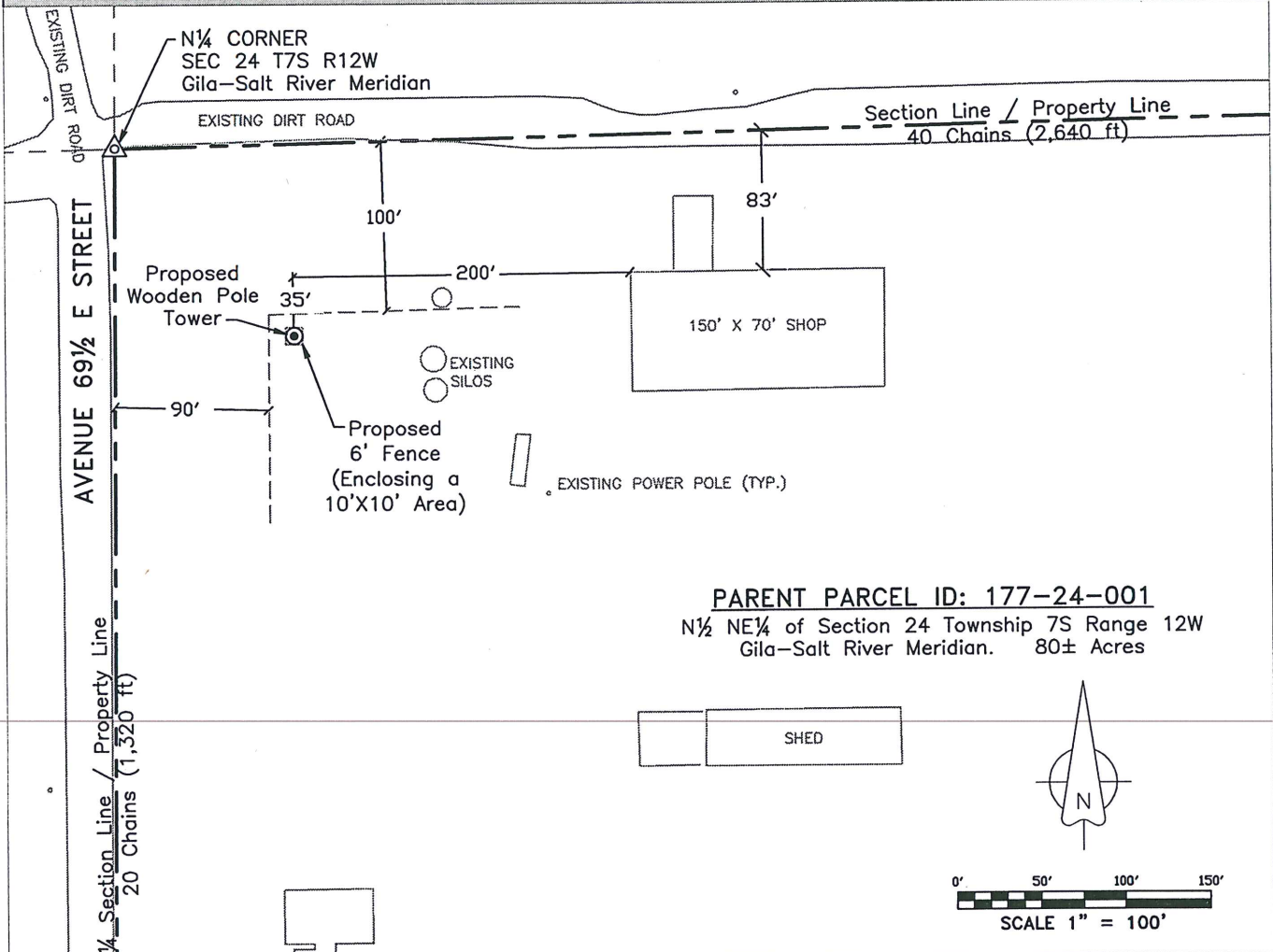
SISSON FARMS AZ LTD AZ LLLP
805 E EASON AVE
BUCKEYE, AZ 85326

Jon Warkowski (Ph:602.768.0317)



1145 S AVENUE 69 1/2 E
DATELAND, YUMA COUNTY, AZ
SITE ADDRESS:

PLAN VIEW: SCALE 1" = 100'



DRIVING DIRECTIONS:

From Avenue 3E merge onto Interstate 8 (eastbound) and drive approximately 69.1 miles to Aztec (Exit 73), turn right and drive South and then West for 0.3 miles, slight left and drive South for 0.8 miles. Site is located on the left (80± feet west of 3 silos).

PREPARED BY:



P.O. BOX 331
22 N Sheep Ln
NEPHI, UT. 84648
PHONE: (435) 623-4252
E-Mail: engineering@rmwt.com

ELEVATION REPORT:

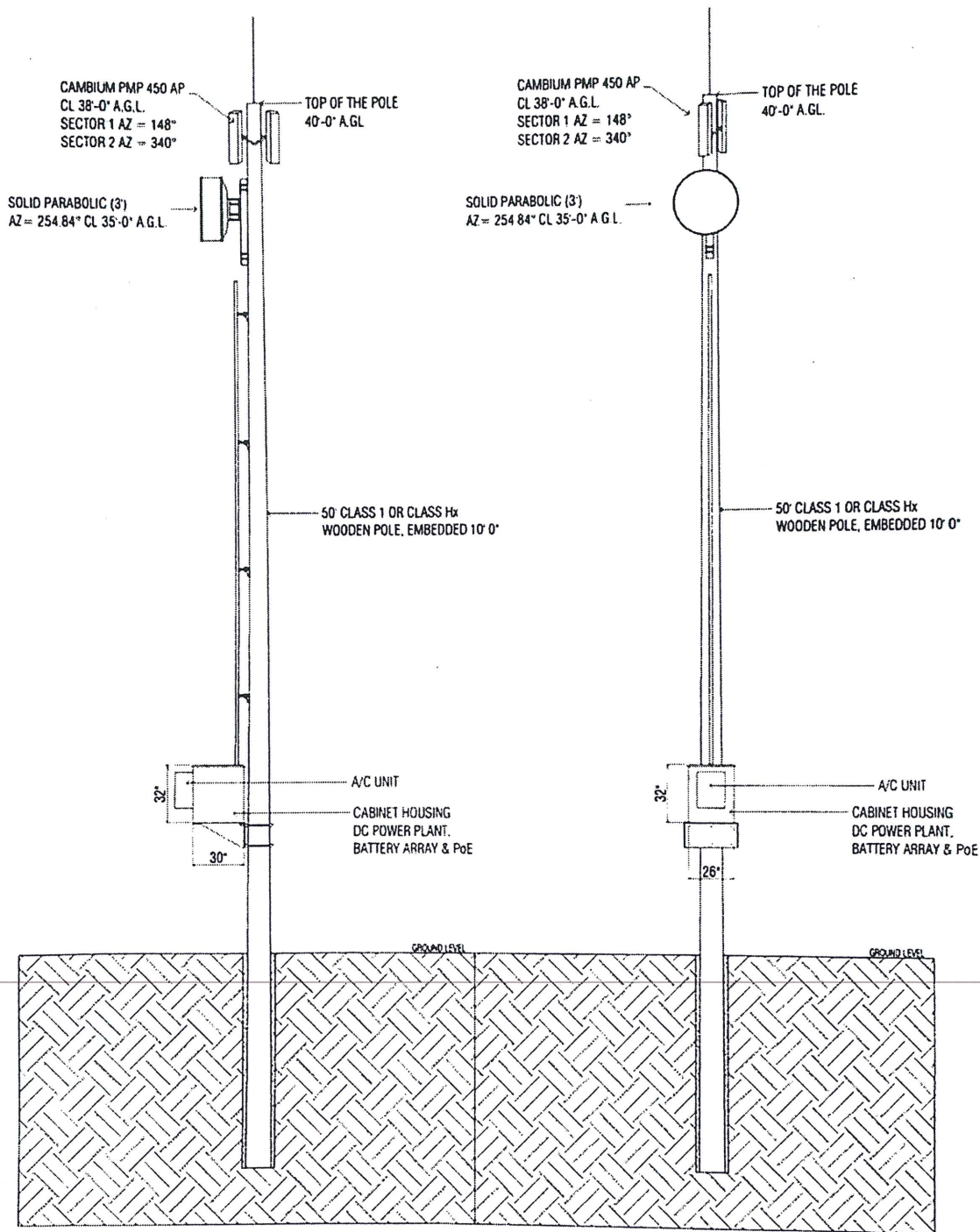
MEAN SEA LEVEL (MSL) ELEVATION: 508 ft
[MSL ELEVATION METERS]: 154.839 m
PROPOSED STRUCTURE HEIGHT
ABOVE GROUND LEVEL (AGL): 40 ft

PROPOSED TOWER COORDINATES:

NAD 83: Lat. 32°48'38.91"N
Lon. 113°26'46.14"W

DECIMAL 32.810808°
DEGREES: -113.446150°

Aztec Wooden Pole 40 ft PRELIMINARY - NOT FOR CONSTRUCTION -



EL ELEVATION POLE

PRELIMINARY; IT MAY CHANGE BASED ON FINAL ENGINEERING

1-001 1 1	AMERICAS COMMUNICATIONS AMERICAS COMMUNICATIONS LLC 3700 E. AZULAN ROAD, SUITE 3 PHOENIX, AZ 85040 PHONE 602-304-1760	TDS	DSA 38904 - AZTEC LOCATION T10	NAME SURNAME TITLE DATE	1-001 1 1
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February 20, 2015

Yuma County, AZ
Planning & Zoning Department

RE: Arizona Telephone Company letter of authorization extended to Charles Hedelius, P.E. and Cory Squire, PLS, RMWT Inc.

Dear Sir or Madam,

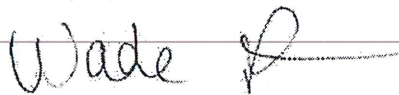
Please be advised that Arizona Telephone Company is a certified telecommunications provider in the state of Arizona and as such is presently involved in certain Telecommunications project improvements associated with both Public and Commercial sectors. During the initial planning phases of the mentioned improvements, Arizona Telephone Company recognized that certain aspects of the project will require review, approval, and permitting by Yuma County Authorities.

This correspondence to the Yuma County Planning & Zoning Department is intended to extend authorization to RMWT, Inc.-Consulting Engineer; specifically Charles Hedelius, P.E. and Cory Squire, PLS to represent Arizona Telephone Company in the required matters before the Departments of Yuma County. Following is their contact information:

Charles Hedelius, P.E.
(801) 819-2845
Cory Squire, PLS
(435) 660-0816
RMWT, Inc.
22 N Sheep LN
Nephi, UT 84648

Please contact Joe Kirk at 608-664-4900 or me if you have any questions regarding this letter of authorization.

Thank you,



Wade D. Soczka
Manager – Market Implementation
Arizona Telephone Company

Sworn to and subscribed in my presence this 20th day of February 2015.

My commission expires: 2/15 yr. 2019

Notary:  Christina F. Meib

Sisson Farms AZ LTD AZ LLLP
805 E Eason Ave., Buckeye, AZ 85326

December 02, 2014

Yuma County, AZ

Planning & Zoning Department

RE: Sisson Farms AZ LTD AZ LLLP, Letter of Authorization extended to Randy L. Freston, RMWT, Inc.

Dear Sir or Madam:

Please be advised that Aztec Hills Farms is a property owner in Yuma County, state of Arizona and as such is presently involved in certain agricultural operations within Yuma County.

Sisson Farms AZ LTD AZ LLLP has recently been made aware that TDS Telecom/Arizona Telephone Co is upgrading existing telecommunications services associated with both Public and Commercial sectors.

TDS Telecom represented by Randy L. Freston of RMWT, Inc. has recently contacted Sisson Farms AZ LTD AZ LLLP for an Easement to establish a Micro-Wave Tower on our property, both Sisson Farms AZ LTD AZ LLLP and TDS Telecom recognized that certain aspects of the project will require review, approval, and permitting by Yuma County Authorities.

This correspondence to the Yuma County Planning & Zoning Department is intended to extend authorization to RMWT, Inc.-Consulting Engineer; specifically Randy L. Freston, Sr. Project Manager, RMWT, Inc. to represent Sisson Farms AZ LTD AZ LLLP in the required matters before the Departments of Yuma County. Following is Mr. Freston's contact information:

Randy L. Freston

RMWT, Inc. -Arizona

5593 N Storm Cloud Drive

Kingman, AZ 86409

Phone: 928-303-2165

Randy.Freston@RMWT.com

Please contact me at 602.768.0317 if you have any questions regarding this Letter of Authorization.
Thank you,



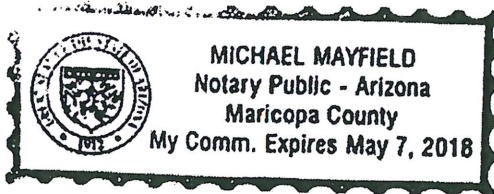
Jon Warkowski

Owner-Manager – Sisson Farms AZ LTD AZ LLLP

Sworn to and subscribed in my presence this 17th Day of December 2014.

My commission expires: May 7th 2018

Notary: 



Yuma County 2020 Comprehensive Plan Development Evaluation Checklist

Case No. SUP 15-03 **Owner/Agent:** Sisson Farms AZ LTD/Agent: K Carter

Parcel #: 177-24-001

Current Zoning: RA-40 **Proposed Zoning:** No change **Acreage:** 80.1 ac

Request: To establish a 40 feet wireless facility. (gross)

IMPACT CATEGORY I.

CONFORMANCE TO EXISTING PLANS

		YES	NO	SCORE
1	The proposal is consistent with the Yuma County 2020 Comprehensive Plan, area plans, and other applicable county, state, or regional plans.	25	0	21
2	The proposed project reduces open space or rural preservation areas identified in the Yuma County 2020 Comprehensive Plan.	0	10	10
3	The proposed use is consistent and compatible with overlay zoning districts applicable to the subject parcel such as the Airport District, Gila Mountain, or Visual Corridor overlay zones.	10	0	10

IMPACT CATEGORY II.

LAND USE COMPATIBILITY

4	The proposed use is the same or similar to the uses in the surrounding vicinity.	25	0	12
5	The proposed density is the same or similar to the existing density in the surrounding vicinity.	25	0	18
6	The location of the project is appropriate considering proximity to existing transportation, shopping, services and employment.	25	0	20

IMPACT CATEGORY III.

NATURAL RESOURCES

7	The project, or a part of the project is located within the 100-year floodplain or floodway.	0	10	10
8	The subject parcel is located in an area of known high groundwater or a surface water source is present	0	5	5
9	The project will result in the loss of prime and/or unique farmland.	0	15	15

IMPACT CATEGORY IV.

PUBLIC INFRASTRUCTURE

10	Adequate improvements to the existing transportation system are proposed (i.e., intersection improvements, road widening, turn lanes, etc.) to accommodate the anticipated increase in traffic, or the development will not result in an increase in traffic.	15	0	14
11	Any public right-of-way necessary to accommodate the development has been or is proposed to be dedicated.	5	0	5
12	A traffic impact study is either not required, or if			

	required has been completed indicating the conclusions and recommendations for improvements.	5	0	5
13	A public or private water system, or an on-site water source, will adequately serve the proposed development	5	0	5

IMPACT CATEGORY V.

NATURAL ENVIRONMENTAL CONDITIONS

14	The project site contains endangered or threatened animal or plant species, or contains ecologically sensitive land.	0	5	5
15	The project site contains earthquake fault lines, fissures, cracks, sinkholes, craters, or is within an earthquake liquefaction area.	0	5	5
16	Soils within the project area are stable and suitable for the proposed development.	5	0	4
17	There are visual indications of previous slides, slumps or other soil problems (cracked walls and foundations, tilted trees or fences, settling, flooding, etc.) in the project area.	0	5	5
18	The site contains slopes of 12% or greater.	0	5	5

IMPACT CATEGORY VI.

MANMADE ENVIRONMENTAL CONDITIONS

19	The site contains fossils, artifacts, relics, monuments, or structures of archaeological or cultural significance.	0	5	5
20	Given the existing noise and estimated future noise levels of the area, the site is appropriate for the proposed activities and facilities.	5	0	5
21	The project will increase PM ₁₀ (particulate matter 10 microns or less diameter) or other air pollution levels in the vicinity.	0	5	5
22	The proposed project will release emissions such as nitrates, sulfates, or organic carbons into the air, which may reasonable be anticipated to causes or contribute to regional haze or impairment of visibility.	0	15	15

IMPACT CATEGORY VII.

HEALTH, SAFETY, AND WELFARE

23	Physical access to the site is traversable by a two-wheel drive passenger motor vehicle.	15	0	15
24	Access to or within the site is via a non-paved surface (which increases the amount of particulates such as soot or dust in the air).	0	10	5
25	Response time for emergency vehicles (Rural/Metro ambulance and fire) is 6 minutes or less, and 10 minutes or less for law enforcement (Sheriff's Dept.).	10	0	0

26	A legal public right of vehicular ingress and egress exists to and from the parcel.	10	0	0
27	The proposed land use is an allowed use according to the Yuma County Zoning Ordinance Airport District Land Use Matrix.	10	0	10
28	Elementary, middle, and high schools serving the subject property will be able to accommodate any projected enrollment increases within existing capacities.	10	0	10
TOTAL SCORE				244
MAXIMUM POSSIBLE SCORE				300

HIGH SCORE

Total score is 275 to 300.

A score falling in this category represents a proposal that likely should be **approved**.

The proposal is likely to be in compliance with adopted land use plans, policies, and objectives, has good access, and is compatible with surrounding development.

MODERATE SCORE

Total score is 250 to 274.

A score falling in this category represents a proposal that likely contains some redeeming qualities but is lacking in one or more areas.

Proposals within this score range typically should be more carefully considered.

LOW SCORE

Total score is 249 or less

A score falling in this category represents a proposal that likely should be **denied**.

The proposal likely does not comply with several adopted land use policies, goals, or objectives, may not have physical or legal access, or may not be compatible with surrounding development.

NC = not complete

Prepared by: _____ C Bahr

Date: **03/06/15 (v. 1) 254 (NC)**
03/24/15 (v. 2) 244
(v. 3)

Chad Bahr

From: Arturo Alvarez
Sent: Tuesday, March 17, 2015 11:56 AM
To: Chad Bahr; Ana Navejar
Cc: Maggie Castro
Subject: RE: ROW and Access Question for Parcel 177-24-001

Chad

According to our documents (vault) there is no existing right of way along Avenue 69 1/5 E nor 70E fronting the subject parcel 177-24-001.

From: Chad Bahr
Sent: Tuesday, March 17, 2015 11:21 AM
To: Ana Navejar
Cc: Arturo Alvarez; Maggie Castro
Subject: ROW and Access Question for Parcel 177-24-001
Importance: High

Hello, Ana,

Say, planning staff and others held a case review meeting of case number SUP 15-03 earlier today.

One of the items to come up was the status of road ROW and legal access to the above parcel.

I will attach a few files to this e-mail to help you find the parcel in question and inform you about the case itself, which is a request for a 40 feet high wireless facility.

Access to the property is from I-8, then south across the railroad tracks and then the road curves north of the dairy/cattle facility there (heading westerly) and then down (south) Ave 69½E about ¾ of one mile. The parcel is on the east side of Ave 69½E and consists of 80 acres.

So, could you look into this question and respond back to me by March 27th?

Thank you for your time and consideration. Let me know if you have any questions.

Chad Bahr, AICP, Snr. Planner

Yuma County Department of Development Services (DDS)

928-817-5159

chad.bahr@yumacountyaz.gov

Yuma County P & Z Commission

Item No. 5

AIR-6354

5.

P&Z Commission Agenda

Meeting Date: 05/26/2015

Submitted For: Maggie Castro

Submitted By: Juan
Leal-Rubio

Department: Planning & Zoning Division - DDS

Information

1. REQUESTED ACTION:

Rezoning Case No. 15-04: Barry L. Olsen, Law Offices of Larry W. Suci, PLC, agent for Rogelio Sosa Palos and Maria del Pilar Soto Martinez, requests the rezoning of a parcel 10.0 gross acres in size from Rural Area-10 acre minimum (RA-10) to Suburban Site Built-2 acre minimum (SSB-2), Assessor's Parcel Number (APN) 747-51-011, located at 15522 South Avenue 2³/₄E, Yuma, Arizona.

2. INTENT:

The applicant's intent is to rezone the subject property to create five 2-acre parcels for residential use.

3. For detailed analysis see attached staff report

4. STAFF'S RECOMMENDATION:

Staff recommends approval of this request subject to the Performance Conditions and Schedule for Development listed on the attached staff report.

Attachments

Staff Report
Case Map
Site Plan
Dev Eval Checklist
External Comments
Internal Comments
Standard B
Easements



STAFF REPORT TO THE COMMISSION

May 26, 2015

Rezoning Case No. 15-04

REQUEST: Rezone a parcel 10.0 gross acres in size from Rural Area-10 acre minimum (RA-10) to Suburban Site Built-2 acre minimum (SSB-2), Assessor's Parcel Number (APN) 747-51-011, located at 15522 South Avenue 2³/₄E, Yuma, Arizona.

APPLICANT: Barry L. Olsen of the Law Offices of Larry W. Suci, PLC, agent for Rogelio Sosa Palos and Maria del Pilar Soto Martinez.

Application is within Supervisor District 4: Marco A. "Tony" Reyes; Commissioners Matias Rosales and Gary Black. Staff report prepared by: Juan Leal Rubio, Senior Planner.

DIRECTIONS: From the intersection of Avenue 3E and County 16th Street travel west on County 16th Street ¼ mile to the alignment of Avenue 2³/₄E. Turn north (right) on the alignment of Avenue 2³/₄E and travel ¼ mile to the southeast corner of the subject properties.

INTENT:

The applicant's intent is to rezone the subject property to create five 2-acre parcels for residential use.

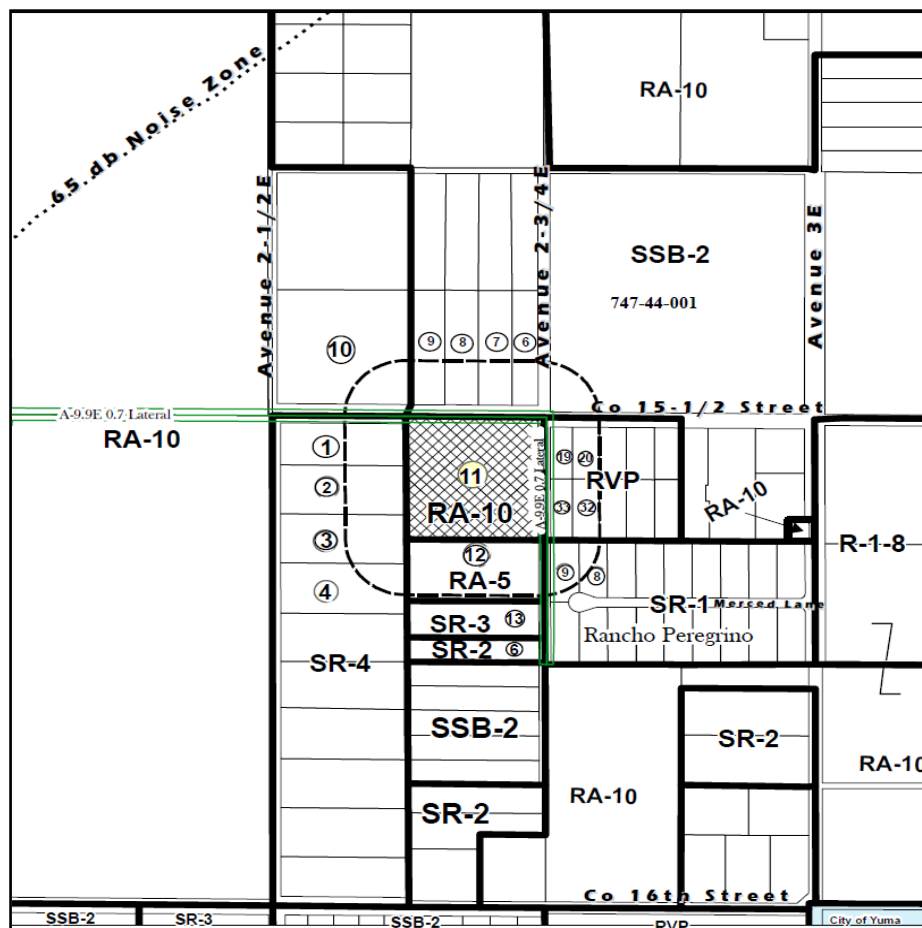
SITE CONDITIONS:

The subject property is located on the west side of the alignment of Avenue 2³/₄E approximately one-third mile north of County 16th Street. There is currently a house (B15-0124) under construction with a detached garage and carport (B15-0180) and a large animal shade structure and horse corral located approximately 60 feet south from the north property line towards the rear of the property. The animal shade structure was constructed without obtaining an exempt permit. Any structures built without permits and/or encroaching into the required setbacks will be required to comply with minimum development standards prior to approval of a Land Division Permit. There is also a concrete-lined irrigation ditch along the west side and an elevated canal lateral and canal road along the east side of the subject property.

Physical and legal access to the subject property is along an access road 30 feet in width along the alignment of Avenue 2³/₄E from County 16th Street. A penetration and chip seal road 20 feet in width located along the east side of Parcels 6, 12, and 13 serves as the main access to the subject property. The road improvements were required under the Schedule for Development for Rezoning Case No. 12-01 (RZ12-01) approved by the Board of Supervisors on May 7, 2012.

Physical and legal access also exists along a private easement 16 feet in width which was recorded on December 3, 1965. Said easement runs within the alignment of Avenue 2^{3/4}E and extends north from County 16th Street to the southeast corner of the subject property. According to the Zoning Ordinance, Section 1012.00--Use of Existing Nonconforming Access Way, "Legally recognized access ways not in conformance with zoning regulation (required twenty (20) foot width minimum) but which have existed prior to the adoption of zoning on a property, shall be recognized as existing nonconforming means of access to existing uses".

Surrounding zoning and land uses within the 300 foot radius of the subject property: Parcels 6 through 9 to the north are zoned Suburban Site-Built-2 acre minimum (SSB-2) and are the locations of single family site-built dwelling units. Parcel 10 to the northwest is zoned Rural Area-10 acre minimum (RA-10) and contains a manufactured home and a large metal building. Parcels 1 through 4 to the west are zoned Suburban Ranch-4 acre minimum (SR-4) with Parcels 2 and 3 being vacant and parcels 1 and 4 containing a site-built dwelling each. Parcel 12 to the south is zoned Rural Area-5 acre minimum (RA-5) and contains a site-built dwelling. Parcels 8 and 9 to the southeast are within Rancho Peregrino Subdivision zoned Suburban Ranch-1 acre minimum (SR-1) and are vacant. Parcels 19, 20, 32 and 33 to the east are zoned Recreational Vehicle Park (RVP) and contain a manufactured home each. Parcel 747-44-001 to the northeast is zoned SSB-2 and is in citrus production.



Vicinity Map

The SSB-2 zoning district is intended to accommodate residential land uses on larger lots in the more rural, outlying areas of the County where adequate services and facilities exist or may be developed to support such development. Uses such as single family dwellings, farming, and agricultural-related land uses are allowed.

The subject property is located in the Yuma Mesa Planning Area of the 2020 Comprehensive Plan and is designated as Rural Density Residential (R-RD). The R-RD land use designation supports residential uses and densities that are rural in nature. The density allowed in the R-RD land use designation is 1 dwelling unit per 2 acres to 1 dwelling unit per 10 acres with minimum 2 acre parcels. This request is in compliance with the 2020 Comprehensive Plan.

The subject property is not within the six-minute response time radius by Rural Metro Station No. 8 located at 15865 South Avenue A in Yuma, which is approximately 6.0 driving miles away from the property. The subject property is within the ten-minute response time radius by the Yuma County Sheriff's Main Station located at 141 South 3rd Avenue in Yuma, which is approximately 10.5 driving miles.

The subject property is located within the Yuma Elementary School District No.1, and the Yuma Union High School District. The elementary school for this location is Palmcroft Elementary School located at 901 South Palmcroft Drive, approximately 12.5 miles from the subject property, and the high school for this location is Kofa High School located at 3100 South Avenue A and approximately 10.5 miles from the subject property.

CRITICAL ISSUES:

The subject property is located within the Yuma Metropolitan Air Pollution District which is designated "non-attainment" for PM₁₀ by the U.S. Environmental Protection Agency. The PM₁₀ State Implementation Plan (SIP) specifically recommends that Yuma County limit the intensity of use of dirt roads. Yuma County has adopted Reasonable Available Control Measures (RACMs) for the purpose of reducing pollutant emissions resulting in improved air quality. The RACMs implemented paving, stabilizing, and/or reducing travel on unpaved streets, roads, and unpaved areas. Improvements of the main access road will be addressed as part of the Schedule for Development for this proposal, and will help mitigate dust created by vehicles travelling in and out of the subject property.

The subject property was rezoned to SSB-2 with Rezoning Case No. 06-12 (RZ06-12) approved on May 1, 2006. However, the zoning was reverted to its former RA-10 zoning classification on February 6, 2012 because of failure to comply with the Schedule for Development. Similarly, Parcels 6, 12, and 13 located south of the subject property were rezoned with Rezoning Case No. 05-30 (RZ05-30), but the zoning was reverted to its former RA-10 zoning classification on February 6, 2012 because of failure to comply with the Schedule for Development which required the filing and approval of a tentative map as a subdivision of five parcels being proposed with RZ06-12 and five additional parcels being proposed with RZ05-30. The 10 new parcels were considered part of the same original development plan and therefore triggered compliance with Subdivision Regulations. A tentative map was submitted, but was never approved because of issues with obtaining the right-of-way required to develop the alignment of

Avenue 2³/₄E to County standards. Since that time, the adjoining parcels were rezoned to RA-5, Suburban Ranch-3 acre minimum (SR-3) and Suburban Ranch-2 acre minimum (SR-2) with Rezoning Case No. 12-01 approved on May 7, 2012. The new parcels were re-split/reconfigured with Land Division Permit No. 12-11 (LDP12-11). The new lot split/reconfiguration under LDP12-11 no longer triggered compliance with Subdivision Regulations because it excluded the subject property and was not considered part of the same development plan.

The U. S. Department of Agriculture Important Farmland Map designates the subject area as "Farmland Of Unique Importance" which includes land which does not meet the criteria for Prime Farmland or Farmland of Statewide Importance that has been used for the production of specific high economic value crops at some time during the two update cycles prior to the mapping date. The soil type is classified as Rositas Sand and Superstition Sand. Permeability of these type of soils is rapid. Potential depth is 60 inches or more. Available water capacity is low. This soil type is moderately limited for urban development and for septic tank absorption fields.

Public water and sanitation services are not available in the area of the subject property. A septic system and water well will be needed when developing the property.

The subject property is located outside the established airport/air station noise zones, but it is located in the Territory in the Vicinity of a Military Airport. It is also located under an overhead flight pattern for the Marine Corps Air Station-Yuma and approximately 2 miles from the Barry M. Goldwater Range (BMGR).

ORDINANCES, CODES AND REGULATIONS THAT PERTAIN TO THE APPLICATION:

- Yuma County Zoning Ordinance
- Yuma County Comprehensive Building Code
- 2003 International Fire Code
- Environmental Health Laws (ARS Titles 36 and 49)
- Yuma County Flood Control District
- Yuma County Public Works Standards Volumes I, II and III

SUMMARY NOTES:

SUPPORT STAFF SUMMARY: The application is on file along with the comments from Yuma County staff. The Building Safety Division offered the following comment: "Once Land Division permits are applied, an all-weather access road including a means for emergency vehicles to turn around shall be required. The turn-around shall be a cul-de-sac or hammerhead installed in compliance with the attached policy". The Flood Control District commented that a Grading Permit is required for the access road. The Environmental Programs Division offered a "Satisfactory/No comment" response. The Engineering Division offered the following comment: "No right of way dedication along the alignments due to the proximity of the A-9.9E 0.7 Lateral...The developer shall construct a twenty (20) foot wide access built road in a dust free condition by application of an aggregate base course (ABC) covered by a penetration

and chip seal coat along the east property line of subject parcel. Refer to attachment Standard No. B-Penetration and Chipseal."

LETTERS OF SUPPORT, OPPOSITION, AGENCY, MILITARY, SPECIAL INTEREST, etc: In a memo dated April 8, 2015, Paula L. Backs, representing the Marine Corps Air Station, offered the following comment: "The property is located under the only overhead flight path pattern for Marine Corps Air Station Yuma and approximately 2 miles from the Barry M. Goldwater Range (BMGR).. It is requested that an aviation and range disclosure statement be recorded that recognizes the noise, interference, and vibrations that may be generated from aviation activities performed at the nearby MCAS/Yuma International Airport aviation complex and within the BMBR....". In an e-mail dated May 1, 2015, Patrick L. Morgan, Manager for the Yuma Mesa Irrigation District, offered the following comment: "After inspection of the property's canal it appears each lot will have 3-12" ports with the exception of the northern most lot which has reduced the size of their ports. The head of water that is delivered in that ditch is 16-cfs which requires 6-12" ports open or the ditch could overtop damaging the canal and property. If the landowners cooperate by irrigating two lots at one time they can make it work...". Various other agencies responded with a "no comment" or "satisfactory" response.

CITIZEN COMMENTS: Staff has not received any comments at this time.

DEVELOPMENT EVALUATION CHECKLIST: The Development Evaluation Checklist identifies the following Impact Categories: Conformance to Existing Plans; Land Use Compatibility; Natural Resources; Public Infrastructure; Natural Environmental Conditions; Manmade Environmental Conditions; and Health, Safety & Welfare. A point system is used to score whether a proposal should likely be approved or denied. Of a possible high score of 300, the total score for this proposal is 260.

The Development Evaluation Checklist score is less than 300 due primarily to the following factors: 1) The property is somewhat remote to shopping and schools and response time for fire fighters is greater than six minutes 2) A legal public right of vehicular ingress and egress does not exist to and from the parcel, and 3) The access to the site is via a non-paved surface which increases the amount of particulates such as dust in the air.

CHRONOLOGY:

03-26-15	Application received
04-28-15	Property posted for Planning Commission public hearing
05-04-15	Public notice mailed to properties within 300 feet of the request
05-06-15	Legal ad appears in the Yuma Sun for the Planning Commission's public hearing
05-07-15	Public notice mailed to the City of Yuma and all relevant agencies/stakeholders
05-15-15	Staff report and letter mailed informing applicant of item being placed on the Planning Commission's public hearing agenda
05-26-15	Planning Commission's public hearing

RECOMMENDATION:

Staff recommends approval of this request based on: 1) The proposed use is compatible with surrounding zoning and land uses; 2) The proposed use is within the range of identified uses, densities and intensities of the 2020 Comprehensive Plan. If the Commission recommends approval, staff recommends attaching the following Performance Conditions and Schedule for Development:

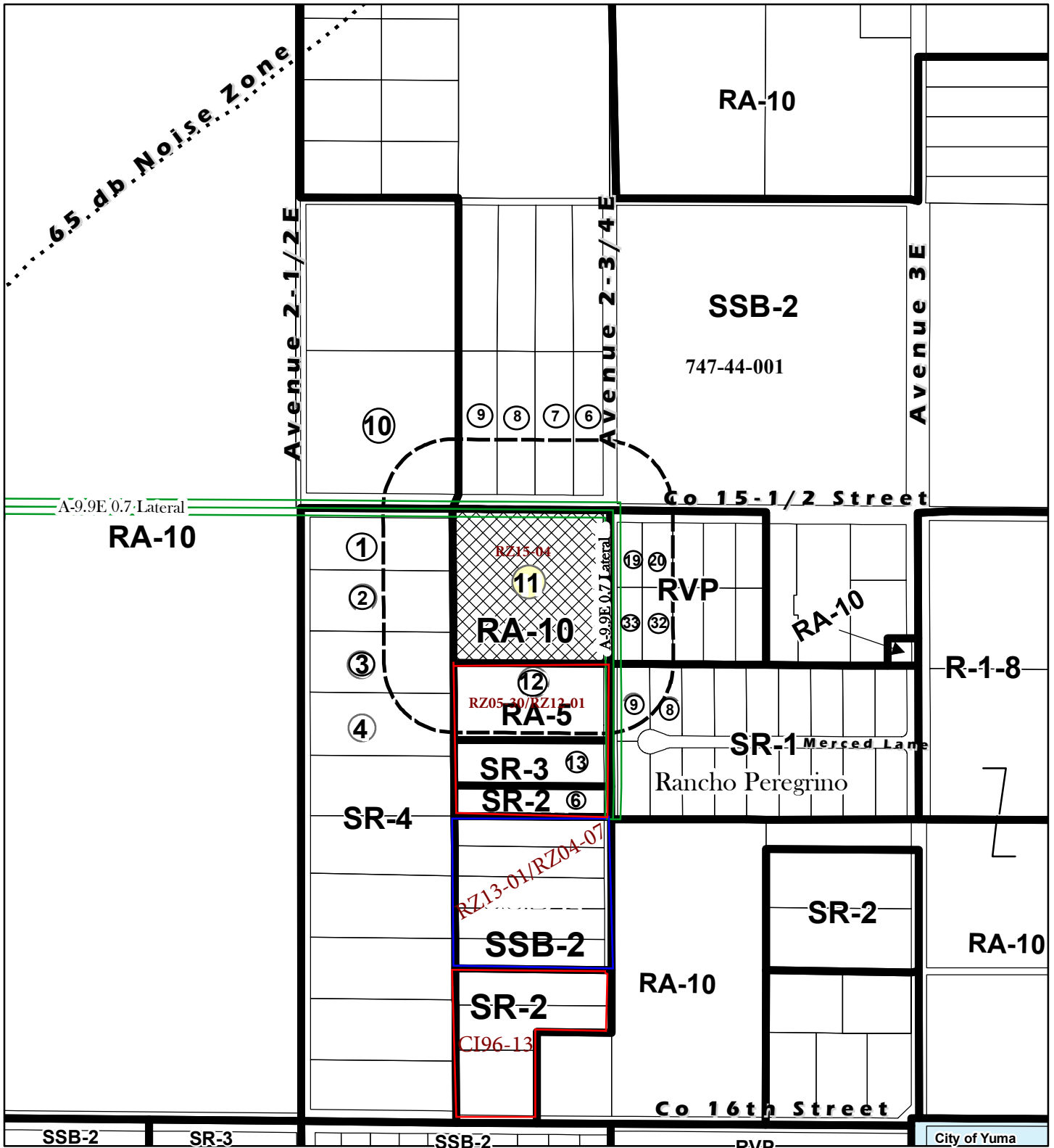
Performance Conditions.

1. The owner shall submit a signed and notarized A.R.S. §12-1134 waiver to the Department of Development Services within 60 days of approval of this rezoning case by the Board of Supervisors.
2. The owner or applicant shall record the following disclosure statements within 60 days of Board of Supervisors' approval of this rezoning case and submit them to the Department of Development Services:
 - a. An agricultural disclosure statement.
 - b. A range disclosure statement.
 - c. An aviation disclosure statement.
 - d. An infrastructure disclosure statement.

Schedule for Development.

- 1) Within one year of approval by the Board of Supervisors, the owner shall record an ingress/egress easement 20 feet in width along the west side of the 38 foot lateral easement located along the east boundary line of the subject parcel.
- 2) Within one year of approval by the Board of Supervisors and prior to approval of Land Division Permit, the owner shall apply for a Grading Permit with Yuma County Department of Development Services to improve the ingress/egress easement referred to in item 1 of the Schedule for Development in a dust free condition by application of an aggregate base course (ABC) covered by a penetration and chip seal coat (refer to attached Standard B-Penetration and Chip Seal). The northern end of the ingress/egress easement shall also contain the means for emergency vehicles to turn around. The turn-around shall be a cul-de-sac or hammerhead installed in compliance with the attached policy.
- 3) Prior to the development of any of the future parcels or within one year of approval by the Board of Supervisors, whichever occurs first, the owner shall submit certification from a licensed engineer confirming the penetration and chip seal road referred to in item 2 of the Schedule for Development above was constructed according to Standard B-Penetration and Chip Seal.
- 4) Within one year of approval by the Board of Supervisors, a Land Division Permit shall be applied for and approved in accordance with Section 507.00 of the Yuma County Zoning Ordinance.
- 5) All lots resulting from the proposed land division shall be provided with the means of irrigation and access to irrigation water prior to development of any of the future parcels or within one year

of approval by the Board of Supervisors, whichever occurs first. A letter from the Yuma Mesa irrigation District shall be submitted stating a satisfactory irrigation system is installed and the individual lots will have access to irrigation water.



DEPARTMENT OF
DEVELOPMENT
SERVICES
PLANNING & ZONING DIVISION
2351 W. 26TH STREET
YUMA, AZ 85364

FOR INFORMATION ONLY - NO LIABILITY ASSUMED

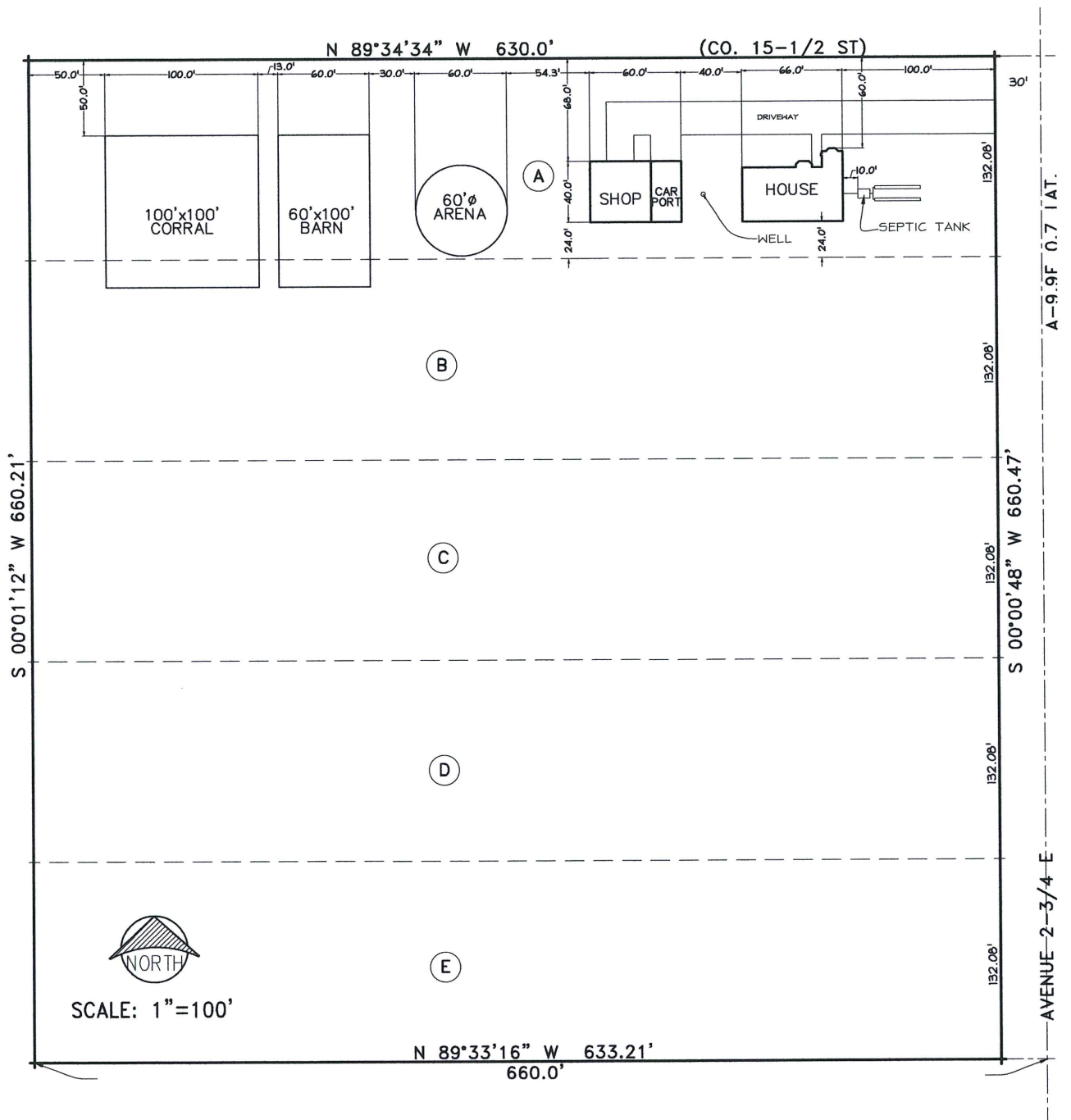
CASE NO: RZ 15-04
LOCATION: 15522 S. Avenue 2-3/4E
APN(s): 747-51-011

CASE PLANNER: J. Leal Rubio
DATE DRAWN: 4-2-2015
REVIEWED BY: M. Garcia

SCALE: 1" = 600'



Legend
300' BUFFER
SUBJECT PROPERTY
Zoning Boundary



Yuma County 2020 Comprehensive Plan
Development Evaluation Checklist

Case No.: RZ15-04

Owner/Agent: Palos/Olsen

Current Zoning: RA-10

Proposed Zoning: SSB-2

Acreage: 10.00 gross

IMPACT CATEGORY I.**CONFORMANCE TO EXISTING PLANS**

		YES	NO	SCORE
1	The proposal is consistent with the Yuma County 2010 Comprehensive Plan, Joint Land Use Plan (JLUP), area plans, and other applicable county, state, or regional plans.	25	0	25
2	The proposed project reduces open space or rural preservation areas identified in the Yuma County 2010 Comprehensive Plan.	0	10	10
3	The proposed use is consistent and compatible with overlay zoning districts applicable to the subject parcel such as the Airport District, Gila Mountain, or Visual Corridor overlay zones.	10	0	10

IMPACT CATEGORY II.**LAND USE COMPATIBILITY**

4	The proposed use is the same or similar to the uses in the surrounding vicinity.	25	0	25
5	The proposed density is the same or similar to the existing density in the surrounding vicinity.	25	0	25
6	The location of the project is appropriate considering proximity to existing transportation, shopping, services and employment.	15	10	15

IMPACT CATEGORY III.**NATURAL RESOURCES**

7	The project, or a part of the project is located within the 100-year floodplain or floodway.	0	10	10
8	The subject parcel is located in an area of known high groundwater or a surface water source is present	0	5	5
9	The project will result in the loss of prime and/or unique farmland.	0	15	0

IMPACT CATEGORY IV.**PUBLIC INFRASTRUCTURE**

10	Adequate improvements to the existing transportation system are proposed (i.e., intersection improvements, road widening, turn lanes, etc.) to accommodate the anticipated increase in traffic, or the development will not result in an increase in traffic.	15	0	15
11	Any public right-of-way necessary to accommodate the development has been or is proposed to be dedicated.	0	5	5

12	A traffic impact study is either not required, or if required has been completed indicating the conclusions and recommendations for improvements.	0	5	5
13	A public or private water system, or an on-site water source, will adequately serve the proposed development	5	0	5

IMPACT CATEGORY V.**NATURAL ENVIRONMENTAL CONDITIONS**

14	The project site contains endangered or threatened animal or plant species, or contains ecologically sensitive land.	0	5	5
15	The project site contains earthquake fault lines, fissures, cracks, sinkholes, craters, or is within an earthquake liquefaction area.	0	5	5
16	Soils within the project area are stable and suitable for the proposed development.	5	0	5
17	There are visual indications of previous slides, slumps or other soil problems (cracked walls and foundations, tilted trees or fences, settling, flooding, etc.) in the project area.	0	5	5
18	The site contains slopes of 12% or greater.	0	5	5

IMPACT CATEGORY VI.**MANMADE ENVIRONMENTAL CONDITIONS**

19	The site contains fossils, artifacts, relics, monuments, or structures of archaeological or cultural significance.	0	5	5
20	Given the existing noise and estimated future noise levels of the area, the site is appropriate for the proposed activities and facilities.	5	0	5
21	The project will increase PM ₁₀ (particulate matter 10 microns or less diameter) or other air pollution levels in the vicinity.	5	0	5
22	The proposed project will release emissions such as nitrates, sulfates, or organic carbons into the air, which may reasonable be anticipated to causes or contribute to regional haze or impairment of visibility.	0	15	15

IMPACT CATEGORY VII.**HEALTH, SAFETY, AND WELFARE**

23	Physical access to the site is traversable by a two-wheel drive passenger motor vehicle.	15	0	15
24	Access to or within the site is via a non-paved surface (which increases the amount of particulates such as soot or dust in the air).	10	0	10
25	Response time for emergency vehicles (Rural/Metro ambulance and fire) is 6 minutes or less, and 10 minutes or less for law enforcement (Sheriff's Dept.).	5	5	5

26	A legal public right of vehicular ingress and egress exists to and from the parcel.	0	10	0
27	The proposed land use is an allowed use according to the Yuma County Zoning Ordinance Airport District Land Use Matrix.	10	0	10
28	Elementary, middle, and high schools serving the subject property will be able to accommodate any projected enrollment increases within existing capacities.	10	0	10
TOTAL SCORE				260
MAXIMUM POSSIBLE SCORE				300

HIGH SCORE

Total score is 275 to 300.

A score falling in this category represents a proposal that likely should be **approved**.

The proposal is likely to be in compliance with adopted land use plans, policies, and objectives, has good access, and is compatible with surrounding development.

MODERATE SCORE

Total score is 250 to 274.

A score falling in this category represents a proposal that likely contains some redeeming qualities but is lacking in one or more areas.

Proposals within this score range typically should be more carefully considered.

LOW SCORE

Total score is 249 or less

A score falling in this category represents a proposal that likely should be **denied**.

The proposal likely does not comply with several adopted land use policies, goals, or objectives, may not have physical or legal access, or may not be compatible with surrounding development.

Prepared by: Fernando Villegas



YUMA COUNTY
Planning & Zoning Division
REQUEST FOR COMMENTS

April 4, 2015

CASE NUMBER: Rezoning Case No. 15-04

PROJECT DESCRIPTION: Rogelio Sosa Palos & Maria del Pilar Soto Martinez request the rezoning of a parcel 10.0 gross acres in size from Rural Area-10 acre minimum (RA-10) to Suburban Site Built-2 acre minimum (SSB-2), Assessor's Parcel Number 747-51-011, located at 15522 South Avenue 2-3/4E, Yuma, Arizona.

PROJECT SUMMARY: The applicant intends to rezone the subject property to SSB-2 for single family residences.

PUBLIC HEARING: Tentatively scheduled for 5/26/15.

COMMENTS DUE: ASAP

Please provide a determination of compliance or complete the comments section below and return or forward your comments to me. For additional information, please contact me at (928)817-5176.

Thank you,

Juan Leal Rubio
Case Planner
Senior Planner

Attachments: Case Map

☐ COMMENT

☒ NO COMMENT

DATE: April 6, 2015 NAME: Isabell Garcia

AGENCY/DIVISION: ADOT Yuma District

RETURN TO:

Juan Leal Rubio
2351 West 26th Street
Yuma, Arizona 85364
Fax: (928)817-5157
Juan.Leal-Rubio@yumacountyaz.gov



YUMA COUNTY
Planning & Zoning Division
REQUEST FOR COMMENTS

April 4, 2015

CASE NUMBER: Rezoning Case No. 15-04

PROJECT DESCRIPTION: Rogelio Sosa Palos & Maria del Pilar Soto Martinez request the rezoning of a parcel 10.0 gross acres in size from Rural Area-10 acre minimum (RA-10) to Suburban Site Built-2 acre minimum (SSB-2), Assessor's Parcel Number 747-51-011, located at 15522 South Avenue 2-3/4E, Yuma, Arizona.

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COMMENTS DUE: ASAP

Please provide a determination of compliance or complete the comments section below and return or forward your comments to me. For additional information, please contact me at (928)817-5176.

Thank you,

Juan Leal Rubio
Case Planner
Senior Planner

Attachments: Case Map

____COMMENT

____NO COMMENT

DATE: 4-7-15 NAME: Gen Grosse, Corporate Account Manager

AGENCY/DIVISION: Yuma County Airport Authority

RETURN TO: Juan Leal Rubio
2351 West 26th Street
Yuma, Arizona 85364
Fax: (928)817-5157
Juan.Leal-Rubio@yumacountyaz.gov

From: [Pat Morgan](#)
To: [Juan Leal Rubio](#)
Subject: RE: RFC RZ15-04
Date: Friday, May 01, 2015 4:00:49 PM

Hi Juan,

After inspection of the property's canal it appears each lot will have 3-12" ports with the exception of the northern most lot which has reduced the size of their ports. The head of water that is delivered in that ditch is 16-cfs which requires 6-12" ports open or the ditch could overtop damaging the canal and property. If the landowners cooperate by irrigating two lots at one time they can make it work.

Thank you for the opportunity to comment on this case.

If you have any questions please contact me.

Regards,
Patrick L. Morgan
Manager

From: Juan Leal Rubio [mailto:Juan.Leal-Rubio@yumacountyaz.gov]
Sent: April 06, 2015 3:18 PM
To: Angelica Bharat (Angelica.bharat@us.army.mil); Anne Camacho (Anne.camacho@aps.com); Antelope Union High School District #50 (ansmith@antelopeunion.org); Arizona Western College (carole.coleman@azwestern.edu); Becky Hopkins (Wellton@town.wellton.az.us); Bill Knowles (BKnowles@azgfd.gov); Bobbi McDermott (rjsm09@msn.com); Bruce Fenske (Bfenske@azdot.gov); Carmen Juarez (carmenj@cityofsomerton.com); Charles Gulden (charles.gulden@us.army.mil); Charles Ruerup (Charles.ruerup@us.army.mil); Chuck Wullenjohn (chuck.wullenjohn@us.army.mil); Crane Elementary School Dist. #13 (bklee@craneschools.org); Doug Bowman (Doug.Bowman@qwest.com); Edmund Ramirez (Edmund.Ramirez@aps.com); Gadsden Elementary School Dist. #32 (agui2400@yahoo.com); Gerry Ramirez (gramirez@azdot.gov); Grosse (Gen@yumaairport.com); Hyder Elementary School Dist. #16 (pkoury@hyder-isd.org); Isabell Limon (IGarcia@azdot.gov); James Garrison (Jgarrison@azstateparks.gov); Jeff Humphrey (Jeff_humphrey@fws.gov); Jennifer Albers (jennifer.albers@yumaaz.gov); Jerry Cabrera (jcabrera@somerton.k12.az.us); Jerry Reiffenberger (jreiffenberger@azda.gov); Joaquin Campa (jcampa@cityofsanluis.org); John Starkey (jstarkey@cityofsanluis.org); Jon Heidrich (JTheidrich@aol.com); Kathy McNamara (Kathy.Mcnamara@aps.com); Kenneth Epperley (Kenneth.Epperley@us.army.mil); Lucy Shipp (lucyshipp@aol.com); Matthew Williamson (matthew.d.williamson2@us.army.mil); Mike Straub (mstraub@wmidd.org); Mohawk Valley Elementary School Dist. #17 (rluna@mohawk.apscc.org); Paula Backs (paula.backs@usmc.mil); Placido Lopez (placido.lopez@twcable.com); Blevins, Robert (Bob) - Principal Planner; Roxanne Molenar (rmolenar@yumasun.com); Southwest Gas (Rick.rohrick@swgas.com); Stephany Turner; tony lomboy (tony.lomboy@twcable.com); Unit B Irrigation District (uirrigatio@aol.com); Wellton Elementary School Dist. #24 (Inoel@apscc.org); YMPO (Cgutierrez@ympo.org); Yum County Water Users Association (tdavis@ycwua.org); Tom Tyree; dfarar1@yumaed.org; Yuma Irrigation District (yid@mindspring.com); Yuma Mesa Irrigation District (Pmorgan@ymidd.org); Yuma Union High School District (abadone@yumaed.org); Richard J. Stacks; Craig Sellers; Arturo Alvarez; Pat Headington
Subject: RFC RZ15-04

Please review and get back to me with questions and/or comments.

Thank you,

Juan Leal Rubio



YUMA COUNTY
Planning & Zoning Division
REQUEST FOR COMMENTS

April 4, 2015

CASE NUMBER: Rezoning Case No. 15-04

PROJECT DESCRIPTION: Rogelio Sosa Palos & Maria del Pilar Soto Martinez request the rezoning of a parcel 10.0 gross acres in size from Rural Area-10 acre minimum (RA-10) to Suburban Site Built-2 acre minimum (SSB-2), Assessor's Parcel Number 747-51-011, located at 15522 South Avenue 2-3/4E, Yuma, Arizona.

PROJECT SUMMARY: The applicant intends to rezone the subject property to SSB-2 for single family residences.

PUBLIC HEARING: Tentatively scheduled for 5/26/15.

COMMENTS DUE: ASAP

Please provide a determination of compliance or complete the comments section below and return or forward your comments to me. For additional information, please contact me at (928)817-5176.

Thank you,

Juan Leal Rubio
Case Planner
Senior Planner

Attachments: Case Map

 X COMMENT

 NO COMMENT

The property is located under the only overhead flight pattern for Marine Corps Air Station Yuma and approximately 2 miles from the Barry M. Goldwater Range (BMGR). It is requested that aviation disclosure and range disclosure statements be recorded that recognize the noise, interference, and vibrations that may be generated from aviation activities performed at the nearby MCAS/Yuma International Airport aviation complex and within the BMGR. Please email copies of the recorded statements to paula.backs@usmc.mil. Thank you for the opportunity to comment.

DATE: 4/8/2015 NAME: Paula L. Backs

AGENCY/DIVISION: MCAS YUMA AZ

RETURN TO:

Juan Leal Rubio
2351 West 26th Street
Yuma, Arizona 85364 Fax: (928)817-5157 Juan.Leal-Rubio@yumacountyaz.gov




Yuma County, Arizona
DEPARTMENT OF DEVELOPMENT SERVICES
2351 W. 26th Street, Yuma, Arizona 85364
Phone: (928) 817-5000
Fax: (928) 817-5020

Monty M. Stansbury, AICP
Director

M E M O R A N D U M

TO: Juan Leal Rubio, Senior Planner

FROM: Arturo Alvarez, Land Development Engineer 

SUBJECT: Rezoning Case # 15-04

DATE: May 5, 2015

Based on the Road Functional Classification System (RFCS). The following are current and recommended right of way width dedications:

Parcel #747-51-011	Current Dedicated	RFCS ROW Dedication	Engineering Recommends	Existing Road Conditions
East (Ave. 2 3/4 E)	0'	30'	*0'	Unimproved
North (Co. 15 1/2 St.)	0'	40'	*0	Unimproved

The Engineering Division recommends the following:

- No right of way dedication along the alignments due the proximity of the A-9.9E 0.7 Lateral
- The developer shall construct a twenty (20) foot wide access built road in a dust free condition by application of an aggregate base course (ABC) covered by a penetration and chip seal coat along the east property line of subject parcel. Refer to attachment Standard No. B – Penetration and Chipseal.

From: [Craig Sellers](#)
To: [Juan Leal Rubio](#)
Subject: RE: RFC RZ15-04
Date: Monday, April 06, 2015 3:24:56 PM

Grading permit will be required for access road.

From: Juan Leal Rubio

Sent: Monday, April 06, 2015 3:18 PM

To: Angelica Bharat (Angelica.bharat@us.army.mil); Anne Camacho (Anne.camacho@aps.com); Antelope Union High School District #50 (ansmith@antelopeunion.org); Arizona Western College (carole.coleman@azwestern.edu); Becky Hopkins (Wellton@town.wellton.az.us); Bill Knowles (BKnowles@azgfd.gov); Bobbi McDermott (rjsm09@msn.com); Bruce Fenske (Bfenske@azdot.gov); Carmen Juarez (carmenj@cityofsomerton.com); Charles Gulden (charles.gulden@us.army.mil); Charles Ruerup (Charles.ruerup@us.army.mil); Chuck Wullenjohn (chuck.wullenjohn@us.army.mil); Crane Elementary School Dist. #13 (bkleee@craneschools.org); Doug Bowman (Doug.Bowman@qwest.com); Edmund Ramirez (Edmund.Ramirez@aps.com); Gadsden Elementary School Dist. #32 (agui2400@yahoo.com); Gerry Ramirez (gramirez@azdot.gov); Grosse (Gen@yumaairport.com); Hyder Elementary School Dist. #16 (pkoury@hyder-isd.org); Isabell Limon (IGarcia@azdot.gov); James Garrison (Jgarrison@azstateparks.gov); Jeff Humphrey (Jeff_humphrey@fws.gov); Jennifer Albers (jennifer.albers@yumaaz.gov); Jerry Cabrera (jcabrera@somerton.k12.az.us); Jerry Reiffenberger (jreiffenberger@azda.gov); Joaquin Campa (jcampa@cityofsanluis.org); John Starkey (jstarkey@cityofsanluis.org); Jon Heidrich (JTheidrich@aol.com); Kathy McNamara (Kathy.Mcnamara@aps.com); Kenneth Epperley (Kenneth.Epperley@us.army.mil); Lucy Shipp (lucyship@aol.com); Matthew Williamson (matthew.d.williamson2@us.army.mil); Mike Straub (mstraub@wmidd.org); Mohawk Valley Elementary School Dist. #17 (rluna@mohawk.apscc.org); Paula Backs (paula.backs@usmc.mil); Placido Lopez (placido.lopez@twcable.com); Blevins, Robert (Bob) - Principal Planner; Roxanne Molenar (rmolenar@yumasun.com); Southwest Gas (Rick.rohrick@swgas.com); Stephany Turner; tony lomboy (tony.lomboy@twcable.com); Unit B Irrigation District (uirrigatio@aol.com); Wellton Elementary School Dist. #24 (Inoel@apscc.org); YMPO (Cgutierrez@ympo.org); Yum County Water Users Association (tdavis@ycwua.org); Tom Tyree; dfarar1@yumaed.org; Yuma Irrigation District (yid@mindspring.com); Yuma Mesa Irrigation District (Pmorgan@ymidd.org); Yuma Union High School District (abadone@yumaed.org); Richard J. Stacks; Craig Sellers; Arturo Alvarez; Pat Headington

Subject: RFC RZ15-04

Please review and get back to me with questions and/or comments.

Thank you,

Juan Leal Rubio
Senior Planner
928-817-5176



From: [Richard J. Stacks](#)
To: [Juan Leal Rubio](#)
Subject: RE: RFC RZ15-04
Date: Monday, April 06, 2015 4:11:21 PM

Satisfactory/No Comment.

Rick

From: Juan Leal Rubio
Sent: Monday, April 06, 2015 3:18 PM
To: Angelica Bharat (Angelica.bharat@us.army.mil); Anne Camacho (Anne.camacho@aps.com); Antelope Union High School District #50 (ansmith@antelopeunion.org); Arizona Western College (carole.coleman@azwestern.edu); Becky Hopkins (Wellton@town.wellton.az.us); Bill Knowles (BKnowles@azgfd.gov); Bobbi McDermott (rjsm09@msn.com); Bruce Fenske (Bfenske@azdot.gov); Carmen Juarez (carmenj@cityofsomerton.com); Charles Gulden (charles.gulden@us.army.mil); Charles Ruerup (Charles.ruerup@us.army.mil); Chuck Wullenjohn (chuck.wullenjohn@us.army.mil); Crane Elementary School Dist. #13 (bkleee@craneschools.org); Doug Bowman (Doug.Bowman@qwest.com); Edmund Ramirez (Edmund.Ramirez@aps.com); Gadsden Elementary School Dist. #32 (agui2400@yahoo.com); Gerry Ramirez (gramirez@azdot.gov); Grosse (Gen@yumaairport.com); Hyder Elementary School Dist. #16 (pkoury@hyder-isd.org); Isabell Limon (IGarcia@azdot.gov); James Garrison (Jgarrison@azstateparks.gov); Jeff Humphrey (Jeff_humphrey@fws.gov); Jennifer Albers (jennifer.albers@yumaaz.gov); Jerry Cabrera (jcabrera@somerton.k12.az.us); Jerry Reiffenberger (jreiffenberger@azda.gov); Joaquin Campa (jcampa@cityofsanluis.org); John Starkey (jstarkey@cityofsanluis.org); Jon Heidrich (JTheidrich@aol.com); Kathy McNamara (Kathy.Mcnamara@aps.com); Kenneth Epperley (Kenneth.Epperley@us.army.mil); Lucy Shipp (lucyship@aol.com); Matthew Williamson (matthew.d.williamson2@us.army.mil); Mike Straub (mstraub@wmidd.org); Mohawk Valley Elementary School Dist. #17 (rluna@mohawk.apscc.org); Paula Backs (paula.backs@usmc.mil); Placido Lopez (placido.lopez@twcable.com); Blevins, Robert (Bob) - Principal Planner; Roxanne Molenaar (rmolenaar@yumasun.com); Southwest Gas (Rick.rohrick@swgas.com); Stephany Turner; tony lomboy (tony.lomboy@twcable.com); Unit B Irrigation District (uirrigatio@aol.com); Wellton Elementary School Dist. #24 (Inoel@apscc.org); YMPO (Cgutierrez@ympo.org); Yum County Water Users Association (tdavis@ycwua.org); Tom Tyree; dfarar1@yumaed.org; Yuma Irrigation District (yid@mindspring.com); Yuma Mesa Irrigation District (Pmorgan@ymidd.org); Yuma Union High School District (abadone@yumaed.org); Richard J. Stacks; Craig Sellers; Arturo Alvarez; Pat Headington
Subject: RFC RZ15-04

Please review and get back to me with questions and/or comments.

Thank you,

Juan Leal Rubio
Senior Planner
928-817-5176





YUMA COUNTY
Planning & Zoning Division
REQUEST FOR COMMENTS

April 4, 2015

CASE NUMBER: Rezoning Case No. 15-04

PROJECT DESCRIPTION: Rogelio Sosa Palos & Maria del Pilar Soto Martinez request the rezoning of a parcel 10.0 gross acres in size from Rural Area-10 acre minimum (RA-10) to Suburban Site Built-2 acre minimum (SSB-2), Assessor's Parcel Number 747-51-011, located at 15522 South Avenue 2-3/4E, Yuma, Arizona.

PROJECT SUMMARY: The applicant intends to rezone the subject property to SSB-2 for single family residences.

PUBLIC HEARING: Tentatively scheduled for 5/26/15.

COMMENTS DUE: ASAP

Please provide a determination of compliance or complete the comments section below and return or forward your comments to me. For additional information, please contact me at (928)817-5176.

Thank you,

Juan Leal Rubio
Case Planner
Senior Planner

Attachments: Case Map

☒ COMMENT

☐ NO COMMENT

Once Land Division permits are applied, an all-weather access road including a means for emergency vehicles to turn around shall be required. The turn-around shall be a cul-de-sac or hammerhead installed in compliance with the attached policy.

DATE: April 29, 2015 NAME: _____

AGENCY/DIVISION: Building Safety Division

RETURN TO:

Juan Leal Rubio
2351 West 26th Street
Yuma, Arizona 85364
Fax: (928)817-5157

Fire Department Apparatus Access Roadway Policy

Department of Development Services, Building Safety Division

Release Date:		
Change/Amended Date:	<u>New</u>	<u>Director</u>
Review Date:	<u>10/2014</u>	
Next Review Date:	<u>10/2015</u>	<u>Chief Building-Fire Code Official</u>

Purpose

This policy provides minimum standards for construction and installation of Fire Apparatus Access Roads to all properties and portions thereof where all weather access is required for Fire Department and other emergency vehicles.

Legislative Authority

2003 International Fire Code (IFC)

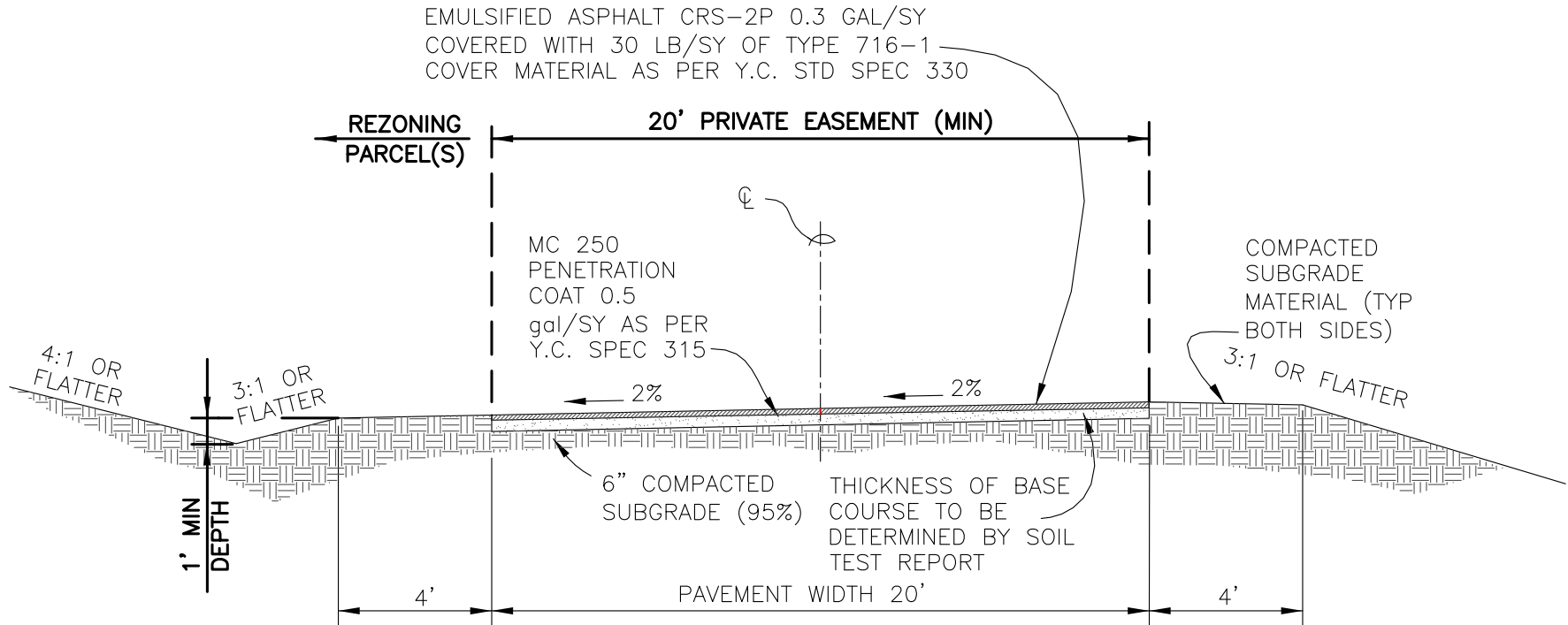
Definitions

Fire Apparatus Access Road: A road that provides fire apparatus access from a fire station to a facility, building, or portion thereof; term is inclusive of fire lane, Public Street, Private Street, parking lot lane and access roadway.

Policy

Where a *fire department apparatus access road* is required, it shall be constructed to all the criteria and standards listed below:

1. *Fire Apparatus Access Roads* shall be provided to all properties as required by the adopted fire code. Fire Apparatus Access Roads shall be ;
 - a. Minimum twenty (20) feet in width.
 - b. Provide a minimum clear height of 13'-6".
 - c. Shall be constructed to an approved Yuma County Gravel Roadway Standard. (Engineering Division)
2. *Fire Apparatus Access Roads* shall be provided with provisions for apparatus turn-around at intervals not exceeding 500 feet. Turnarounds shall be either a 70' cul-de-sac, 60' hammerhead or approved equal. (2003 IFC Appendix Ch. D)
3. Dead end *Fire Apparatus Access Roads* shall not exceed 150' in length from an approved turnaround.



NOT TO SCALE

ALL ROAD ENDS TERMINATING AT PRIVATE PROPERTY OR
WITH NO PHYSICAL EGRESS SHALL PROVIDE AN EMERGENCY
VEHICLE TURN AROUND PER Y.C. STD. 3-080.

90° ROAD BEND SHALL PROVIDE A 10'X10'
CHAMFER AT THE INSIDE OF THE BEND

STRUCTURAL DESIGN OF COMBINED THICKNESS OF BASE
TO BE DETERMINED BY SOIL TEST
(SEE SECTION 3.2 PUBLIC WORKS STANDARDS.)

DEPTH OF STORMWATER BORROW DITCH SUBJECT TO DRAINAGE REPORT

09/15/2010 REVISED

YUMA COUNTY
DEPT. OF DEVELOPMENT SERVICES

EXHIBIT "B"
PENETRATION AND CHIPSEAL
PRIVATE INTERNAL ROAD SECTION

STATE OF ARIZONA, County of Yuma, ss.

I do hereby certify that the within instrument was filed and recorded
request of

DOCKET 422 Page 14
1965 DEC 3 PM 2 14

20322

In Docket
VERNON C. WRIGHT, County Recorder

at P. 140-142

By Deputy Recorder

DECLARATION OF EASEMENT FOR DITCH, UNDER-
GROUND WATER PIPE AND ROAD PURPOSES

WHEREAS, the undersigned are owners of the West Half of
the Southeast Quarter (NWSE $\frac{1}{4}$) of Section Thirty-five (35), Town-
ship Nine (9) South, Range Twenty-three (23) West, G. & S. R. B.
& M., Yuma County, Arizona; and,

WHEREAS, there presently exists upon said real property
a certain cement irrigation ditch for use in the irrigation of
the said real property and roads for road purposes for ingress
and egress in and to said property, the approximate location and
description of said ditch being as follows:

The Westerly 17.2 feet of the East Half of
the West Half of the Southeast Quarter
(E $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$), in Section Thirty-five (35),
Township Nine (9) South, Range Twenty-three
(23) West, G. & S. R. B. & M.

and for road purposes,

The West 10 feet of the West one-half of the
West one-half of the Southeast Quarter (NW $\frac{1}{2}$ SE $\frac{1}{4}$);
and the East 16 feet of the East one-half of the
West one-half of the Southeast Quarter (E $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$)
in Section Thirty-five (35), Township Nine (9)
South, Range Twenty-three (23) West, G. & S. R.
B. & M.

and,

WHEREAS, in order that all future owners of parts or
parcels of said real property shall have the benefit of the
joint use of the present cement irrigation ditch constructed
over the easement herein set forth, and ingress and egress over
the easements for road purposes herein set forth, and to provide
for the orderly use thereof by each such owner, it is the desire

1 of the undersigned that this declaration of a non-exclusive easement shall be a covenant running with the land for the benefit
2 of and appurtenant to the West Half of the Southeast Quarter
3 (W4SE4) of Section Thirty-five (35), Township Nine (9) South,
4 Range Twenty-three (23) West, G. & S. R. B. & M., Yuma County,
5 Arizona, and as such shall affect all such parcels within the
6 above described real property when hereafter conveyed to others.

7
8 NOW, THEREFORE, the undersigned, as owners, do hereby
9 declare and dedicate a permanent non-exclusive easement upon, and
10 in and to the said areas above set forth, for irrigation purposes
11 and for road purposes appurtenant to the property above described
12 and with each parcel thereof as aforesaid:

13 1. The owners of the lands or parcels of lands
14 within the said West Half of the Southeast Quarter
15 (W4SE4) of Section Thirty-five (35), as aforesaid,
16 shall have the right to jointly use with the other owners of
17 parcels of said land the easements for irrigation and road
18 purposes.

19 2. Each owner of parcels of land affected by this
20 easement shall have the right of ingress and
21 egress on and along the ditch banks of the respective
22 lands for the purpose of maintaining and running water through the
23 same.

24 3. The cost of the upkeep and maintenance of the
25 general canal system and roadways shall be borne
26 proportionately by all users thereof, however any
27 damage thereto occasioned by the fault or negligence of any
28 user thereof, shall be paid by such party thus occasioning such

1 damage.

2 4. There is herein established and is hereby declared
3 to be a permanent easement for an underground water,
4 easement from the existing cement ditch as hereinafter
5 described to the property of the undersigned hereinafter described,
6 which easement shall be a covenant running with the land and is
7 more particularly described as follows:

8 The North six (6) feet of the South thirty-nine
9 (39) feet of the Southeast Quarter of the Southwest
10 Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$)
11 EXCEPT the East 335 feet thereof, all in Section
12 Thirty-five (35), Township Nine (9) South,
13 Range Twenty-three (23) West, G. & S. R. B. & M.,
14 in Yuma County, Arizona.

15 Reference to this instrument shall be made in every deed
16 or conveyance of the whole or any part or parcel of said land,
17 either directly or by referring to this recorded instrument, and
18 shall operate for the joint and mutual benefit of, and may be
19 enforced by the grantor or by any owner of any parcel within the
20 above described real property using the said ditches or roadways
21 or underground water easement.

22 IN WITNESS WHEREOF, the undersigned have executed this
23 instrument this 20th day of November, 1965.

24 Jack H. Rose
25 Jack Rose

26 Lupe Rose
27 Lupe Rose

28 STATE OF ARIZONA () ss.
County of YUMA ()

29 The foregoing instrument was acknowledged before me this
30 22 day of November, 1965, by JACK ROSE and LUPE ROSE.

31 My commission expires:

32 Notary Public

33 My Commission Expires Nov. 2, 1968

WESTOVER KEDDIE & CHOULES
ATTORNEYS AT LAW
190 MADISON AVENUE - P. O. BOX 991
YUMA, ARIZONA 85364

RECORDING REQUESTED BY
Citizens Title and Trust
AND WHEN RECORDED MAIL TO

JEFFREY C BELL
PAMELA C BELL
5222 E VIA BUENA VISTA
PARADISE VALLEY, AZ 85253



ESCROW NO 05020121 - 002 - BJ

OFFICIAL RECORDS OF
YUMA COUNTY RECORDER
SUSAN MARLER



FEE #: 2005-44481

10/11/2005 02 40 PAGES 0003
FEES 5 00 8 00 1 00 00 00
REQ BY CITIZENS TITLE
REC BY NORMA VASQUEZ

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Warranty Deed

For the consideration of Ten Dollars, and other valuable considerations, I or we,
Jeffrey C Bell and Pamela C Bell, husband and wife
do/does hereby convey to

Jeffrey C Bell and Pamela C Bell, as Trustee of The Bell Family Trust, dated May 5, 2005
the following real property situated in Yuma County, ARIZONA

See Exhibit A attached hereto and made a part hereof

ARS 33-404 (Trust Beneficiaries)

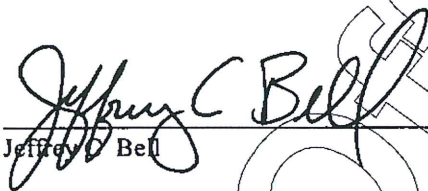
Jeffrey C Bell & Pamela C Bell, 5222 E Via Buena Vista, Paradise Valley, AZ 85253

EXEMPT ARS 11-1134 B-8

SUBJECT TO Current taxes and other assessments, reservations in patents and all easements, rights of way, encumbrances,
liens, covenants, conditions, restrictions, obligations, and liabilities as may appear of record

And I or we do warrant the title against all persons whomsoever, subject to the matters set forth above

Dated September 30, 2005


Jeffrey C Bell

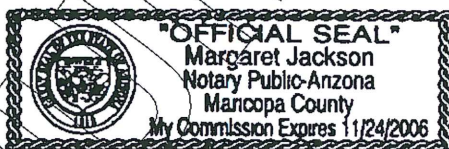

Pamela C Bell

State of Arizona }
County of Maricopa } SS

This instrument was acknowledged before me this 5th day
of October, 2005 by Jeffrey C Bell and
Pamela C Bell


Notary Public

My commission will expire 11-24-06



Order Number 05020121

Exhibit A

PARCEL NO 1

The Northeast quarter of the Northwest quarter of the Southeast quarter of Section 35, Township 9 South, Range 23 West of the Gila and Salt River Base and Meridian, Yuma County, Arizona

PARCEL NO 1A

An easement for irrigation purposes over the Westerly 17 1/2 feet of the East half of the West half of the Southeast quarter of Section 35, Township 9 South, Range 23 West of the Gila and Salt River Base and Meridian, Yuma County, Arizona, as created by instrument recorded in Docket 422, page 140, records of Yuma County, Arizona,

EXCEPT any portion thereof lying within Parcel No 1 above

PARCEL NO 1B

An easement for ingress and egress over the East 16 feet of the East half of the West half of the Southeast quarter of Section 35, Township 9 South, Range 23 West of the Gila and Salt River Base and Meridian, Yuma County, Arizona, as created by instrument recorded in Docket 422, page 140, records of Yuma County, Arizona,

EXCEPT any portion thereof lying within Parcel No 1 above

PARCEL NO 1C

An easement for ingress, egress and roadway purposes over the West 4 feet of the East 20 feet of the South 390 feet of the East 335 feet of the Southeast quarter of the Southwest quarter of the Southeast quarter of Section 35, Township 9 South, Range 23 West of the Gila and Salt River Base and Meridian, Yuma County, Arizona, as created by instrument recorded at Fee No 2004-10030, records of Yuma County, Arizona

PARCEL NO 1D

An easement for road or highway and public utility services over the East 20 feet of the North 116 feet of the South 506.0 feet of the Southeast quarter of the Southwest quarter of the Southeast quarter of Section 35, Township 9 South, Range 23 West of the Gila and Salt River Base and Meridian, Yuma County, Arizona, as created by instrument recorded at Fee No 2004-13586, records of Yuma County, Arizona

Order Number 05020121

PARCEL NO 1E

An easement for road or highway and public utility services over the East 20 feet of the Southeast quarter of the Southwest quarter of the Southeast quarter of Section 35, Township 9 South, Range 23 West of the Gila and Salt River Base and Meridian, Yuma County, Arizona, as created by instrument recorded at Fee No 2004-13587, records of Yuma County, Arizona,

EXCEPT the South 506 0 feet thereof

"UnOfficial Copy"

OFFICIAL RECORDS OF
YUMA COUNTY RECORDER
SUSAN MARLER



FEE #: 2005-44482

10/11/2005 02 40 PAGES 0003
FEES 5 00 8 00 1 00 2 00 00
REQ BY CITIZENS TITLE
REC BY NORMA VASQUEZ

RECORDING REQUESTED BY
Citizens Title and Trust
AND WHEN RECORDED MAIL TO
WILLIAMS BUILDERS OF YUMA, LLC
2847 E County 15 1/2 Street
Yuma, AZ 85365



ESCROW NO 05020121 - 002 - BJ

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Warranty Deed

For the consideration of Ten Dollars, and other valuable considerations, I or we,
Jeffrey C Bell and Pamela C Bell, as Trustees of The Bell Family Trust, dated May 5, 2005
do/does hereby convey to

Williams Builders of Yuma, LLC, an Arizona limited liability company
the following real property situated in Yuma County, ARIZONA

See Exhibit A attached hereto and made a part hereof

ARS 33-404 (Trust Beneficiaries)
Jeffrey C Bell and Pamela C. Bell
5222 E. Via Buena Vista, Paradise Valley, AZ 85253

SUBJECT TO Current taxes and other assessments, reservations in patents and all easements, rights of way, encumbrances,
liens, covenants, conditions restrictions, obligations, and liabilities as may appear of record

And I or we do warrant the title against all persons whomsoever, subject to the matters set forth above

Dated September 30, 2005

SELLERS

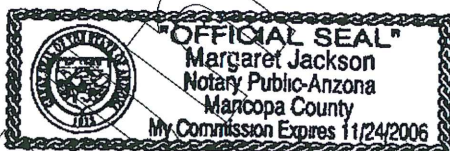
The Bell Family Trust, dated May 5, 2005

Jeffrey C Bell, Trustee

The Bell Family Trust, dated May 5, 2005

Pamela C Bell, Trustee

State of Arizona }
County of Maricopa } SS



This instrument was acknowledged before me this 5th day
of October, 2005 by Jeffrey C Bell and Pamela
C Bell, as Trustee of The Bell Family Trust, dated May 5,
2005

Margaret Jackson
Notary Public

My commission will expire 11-24-06

Order Number 05020121

Exhibit A

PARCEL NO 1

The Northeast quarter of the Northwest quarter of the Southeast quarter of Section 35, Township 9 South, Range 23 West of the Gila and Salt River Base and Meridian, Yuma County, Arizona

PARCEL NO 1A

An easement for irrigation purposes over the Westerly 17 1/2 feet of the East half of the West half of the Southeast quarter of Section 35, Township 9 South, Range 23 West of the Gila and Salt River Base and Meridian, Yuma County, Arizona, as created by instrument recorded in Docket 422, page 140, records of Yuma County, Arizona,

EXCEPT any portion thereof lying within Parcel No. 1 above

PARCEL NO 1B

An easement for ingress and egress over the East 16 feet of the East half of the West half of the Southeast quarter of Section 35, Township 9 South, Range 23 West of the Gila and Salt River Base and Meridian, Yuma County, Arizona, as created by instrument recorded in Docket 422, page 140, records of Yuma County, Arizona,

EXCEPT any portion thereof lying within Parcel No. 1 above

PARCEL NO 1C

An easement for ingress, egress and roadway purposes over the West 4 feet of the East 20 feet of the South 390 feet of the East 335 feet of the Southeast quarter of the Southwest quarter of the Southeast quarter of Section 35, Township 9 South, Range 23 West of the Gila and Salt River Base and Meridian, Yuma County, Arizona, as created by instrument recorded at Fee No 2004-10030, records of Yuma County, Arizona

PARCEL NO 1D

An easement for road or highway and public utility services over the East 20 feet of the North 116 feet of the South 506.0 feet of the Southeast quarter of the Southwest quarter of the Southeast quarter of Section 35, Township 9 South, Range 23 West of the Gila and Salt River Base and Meridian, Yuma County, Arizona, as created by instrument recorded at Fee No 2004-13586, records of Yuma County, Arizona

Order Number 05020121

PARCEL NO 1E

An easement for road or highway and public utility services over the East 20 feet of the Southeast quarter of the Southwest quarter of the Southeast quarter of Section 35, Township 9 South, Range 23 West of the Gila and Salt River Base and Meridian, Yuma County, Arizona, as created by instrument recorded at Fee No 2004-13587, records of Yuma County, Arizona,

EXCEPT the South 506 0 feet thereof

"Unofficial Copy"

RECORDING REQUESTED BY
Citizens Title & Trust
AND WHEN RECORDED MAIL TO:

ROGELIO SOSA PALOS
MARIA DEL PILAR SOTO MARTINEZ
340 W. 32ND STREET, #353
YUMA, AZ 85364

Citizens
Title & Trust

ESCROW NO.: 14110272 - 011 - DL

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Warranty Deed

Community Property with Right of Survivorship

For the consideration of Ten Dollars, and other valuable considerations,

Jeffrey C. Bell and Pamela C. Bell, as Trustees of The Bell Family Trust dated May 5, 2005

do/does hereby convey to

Rogelio Sosa Palos and Maria Del Pilar Soto Martinez, Husband and Wife

the following real property situated in the county of Yuma, State of ARIZONA:

See Exhibit A attached hereto and made a part hereof.

Beneficiaries of the above named trust are disclosed in Fee # 2005-44481

SUBJECT TO: Current taxes and other assessments, reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations, and liabilities as may appear of record.

And I or we do warrant the title against all persons whomsoever, subject to the matters above set forth.

The Grantees by signing the acceptance below or attached evidence their intention to acquire said premises as community property with right of survivorship and NOT as joint tenants and not as tenants in common.

Dated June 23, 2014

Grantees



Rogelio Sosa Palos



Maria Del Pilar Soto Martinez

Grantors

The Bell Family Trust dated May 5, 2005



Jeffrey C. Bell, Trustee



Pamela C. Bell, Trustee

Escrow No.: 14110272 - 011 - DL

State of ARIZONA

County of

} SS

This instrument was acknowledged before me this 25th day
of June, 2014 by Jeffrey C. Bell and Pamela C.
Bell, as Trustees of The Bell Family Trust dated May 5, 2005.



JANET F. LANZA
Notary Public - Arizona
Maricopa County
Expires 07/17/2017

Janet F. Lanza
Notary Public

My commission will expire 07/17/2017

State of ARIZONA

County of Yuma

} SS

This instrument was acknowledged before me this 26th day
of January, 2015, by Rogelio Sosa Palos and Maria
Del Pilar Sosa Martinez.



ANA T. TORRES
NOTARY PUBLIC-ARIZONA
YUMA COUNTY
My Commission Expires
June 27, 2018

Ana T. Torres
Notary Public

My commission will expire June 27 2018

Exhibit A

PARCEL NO. 1:

The Northeast quarter of the Northwest quarter of the Southeast quarter of Section 35, Township 9 South, Range 23 West of the Gila and Salt River Base and Meridian, Yuma County, Arizona.

PARCEL NO. 1A:

E2W2SE4

An easement for irrigation purposes over the Westerly 17.2 feet of the East half of the West half of the Southeast quarter of Section 35, Township 9 South, Range 23 West of the Gila and Salt River Base and Meridian, Yuma County, Arizona, as created by instrument recorded in Docket 422, page 140, records of Yuma County, Arizona;

EXCEPT any portion thereof lying within Parcel No. 1 above.

PARCEL NO. 1B:

E2W2SE4

An easement for ingress and egress over the East 16 feet of the East half of the West half of the Southeast quarter of Section 35, Township 9 South, Range 23 West of the Gila and Salt River Base and Meridian, Yuma County, Arizona, as created by instrument recorded in Docket 422, page 140, records of Yuma County, Arizona;

EXCEPT any portion thereof lying within Parcel No. 1 above.

PARCEL NO. 1C:

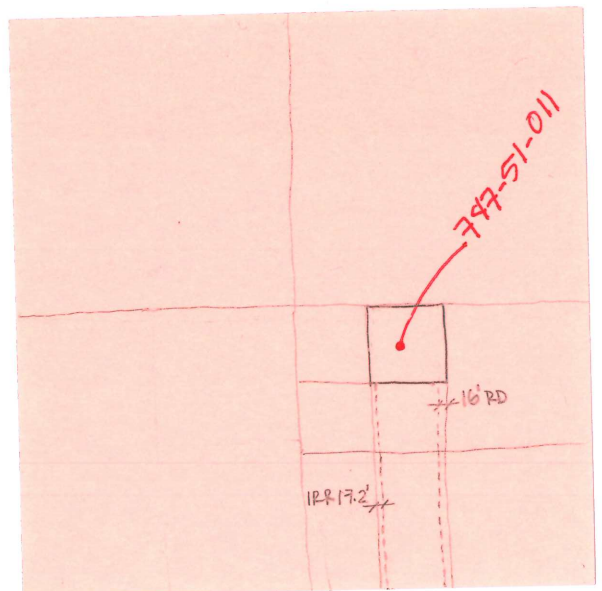
An easement for ingress, egress and roadway purposes over the West 4 feet of the East 20 feet of the South 390 feet of the East 335 feet of the Southeast quarter of the Southwest quarter of the Southeast quarter of Section 35, Township 9 South, Range 23 West of the Gila and Salt River Base and Meridian, Yuma County, Arizona, as created by instrument recorded at Fee No. 2004-10030, records of Yuma County, Arizona.

PARCEL NO. 1D:

20'E 116'N 506'S / SE4 SW4 SE4

An easement for road or highway and public utility services over the East 20 feet of the North 116 feet of the South 506.0 feet of the Southeast quarter of the Southwest quarter of the Southeast quarter of Section 35, Township 9 South, Range 23 West of the Gila and Salt River Base and Meridian, Yuma County, Arizona, as created by instrument recorded at Fee No. 2004-13586, records of Yuma County, Arizona.

2004-10030 Parcel No. 1C
2004-13586 Parcel No. 1D
2004-13587 Parcel No. 1E



PARCEL NO. 1E:

20'E SEA SW 1/4 SEA

An easement for road or highway and public utility services over the East 20 feet of the Southeast quarter of the Southwest quarter of the Southeast quarter of Section 35, Township 9 South, Range 23 West of the Gila and Salt River Base and Meridian, Yuma County, Arizona, as created by instrument recorded at **Fee No. 2004-13587**, records of Yuma County, Arizona;

EXCEPT the South 506.0 feet thereof.

Official Copy

Yuma County P & Z Commission

Item No. 6

AIR-6353

6.

P&Z Commission Agenda

Meeting Date: 05/26/2015

Submitted For: Maggie Castro

Submitted By: Juan
Leal-Rubio

Department: Planning & Zoning Division - DDS

Information

1. REQUESTED ACTION:

Request to initiate a text amendment to the Yuma County Zoning Ordinance, Section 302.05--Water and Sewage Systems Requirements.

2. INTENT:

This is a request to amend Section 302.05 of the Zoning Ordinance. This section was adopted on September 25, 2006. Currently, the section requires a minimum size of at least one (1) acre for parcels requiring on-site water and sewage disposal systems. The intent of the proposed text amendment is to provide consistency and guidance to property owners seeking to develop parcels less than one (1) acre in size created prior to September 25, 2006 where both a water supply and sewage disposal system are to be constructed on the same lot. Approval of the proposed amendment will allow the minimum parcel size to be dictated by the area necessary for the safe accommodation of individual wells and sewage disposal systems. The development shall also adhere to all other requirements of the Zoning Ordinance and not be detrimental to public health, safety and welfare.

The proposed changes are shown in the attached memorandum. Text that is in ~~strike-through~~ format is proposed to be deleted and text that is in **bold** format is proposed new text.

3. For detailed analysis see attached staff report

4. STAFF'S RECOMMENDATION:

Staff recommends the Planning Commission initiate a text amendment to the Zoning Ordinance to modify Section 302.05 as presented.

Attachments

Memo to Commission



MEMORANDUM

TO: Yuma County Planning and Zoning Commission

FROM: Juan Leal Rubio, Senior Planner *JLR*

RE: Request to initiate a text amendment to the Yuma County Zoning Ordinance, Section 302.05

DATE: April 22, 2015

This is a request to amend Section 302.05 of the Zoning Ordinance. This section was adopted on September 25, 2006. Currently, the section requires a minimum size of at least one (1) acre for parcels requiring on-site water and sewage disposal systems. The intent of the proposed text amendment is to provide consistency and guidance to property owners seeking to develop parcels less than one (1) acre in size created prior to September 25, 2006 where both a water supply and sewage disposal system are to be constructed on the same lot. Approval of the proposed amendment will allow the minimum parcel size to be dictated by the area necessary for the safe accommodation of individual wells and sewage disposal systems. The development shall also adhere to all other requirements of the Zoning Ordinance and not be detrimental to public health, safety and welfare.

The proposed changes are shown below. Text that is in ~~striketrough~~ format is proposed to be deleted and text that is in **bold** format is proposed new text.

302.05--Water and Sewage Systems Requirements

- A. For those parcels with access to both public water and sewer, the minimum parcel size shall conform to the applicable zoning district standard.
- B. For parcels requiring on-site water and/or sewage disposal facilities, the minimum lot size shall provide sufficient area necessary for the safe accommodation of individual wells and/or sewage disposal systems as follows:
 - 1. **For parcels created after September 25, 2006** where both the water supply and sewage disposal system ~~is are~~ to be developed on the same lot, the minimum size shall be at least one (1) acre, excluding streets, alleys and other rights-of-way and be large enough to accommodate the residence, septic system and one hundred percent (100%)

reserve/expansion of the septic system.

2. **For parcels created prior to September 25, 2006 where both the water supply and sewage disposal system are to be developed on the same lot, the minimum size shall be large enough to accommodate the residence, septic system and one hundred percent (100%) reserve/expansion of the septic system**
23. Where water from a community system is provided and a sewage disposal system is to be developed on the lot, the lot shall be large enough to accommodate the residence, septic system and one hundred percent (100%) expansion of the septic system. Lots smaller than one (1) acre within a subdivision may require an alternative type of septic system.

The above standards are minimum standards. The Environmental **Programs Division** ~~Health Section~~ (Department of Development Services) may require more restrictive standards based upon adopted environmental and sanitary codes or regulations.

Recommendation:

Staff recommends the Planning Commission initiate a text amendment to the Zoning Ordinance to modify Section 302.05 as presented.